

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15406 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- MADHAURAH District- Saran

1. Pramod Kumar S/o- Lal Saheb Rai Village- Jagdev Sirisiya Ps- Amnour Dist- Saran
2. Sonu Kumar S/o- Sunil Prasad Village- Amnour Harnarayan Ps- Amnour Dist- Saran
3. Sanoj Kumar S/o- Suresh Choudhary Village- Kinara Ps- Jagat Dal Dist- North 24, Pargana State- W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Marhaura PS Case No. 73 of 2025 instituted for the of-
fences under Sections 30(a), 32(i), 32(ii), 38, 41(i) and
41(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 60
litres of spirit was recovered from two motorcycles.

4. Learned counsel for the petitioners submit that
the petitioners are innocent and have falsely been impli-
cated in the present case. No incriminating material has



been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted that the seized two motorcycles do not belong to the petitioners. The petitioners are in custody since 17.02.2025. The petitioner no. 1 and 2 have got one criminal antecedent and petitioner no. 3 has got clean antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Marhaura PS Case No. 73 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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