

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16431 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BELA District- Sitamarhi

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1. Shrawan Kumar Son of Bhola Sah Resident of Dhamitol Parihar, P.S. - Parihar, District - Sitamarhi, Bihar
 2. Ramjapu @ Ramjapu Kumar Son of Nathu Rai Resident of Village - Babuhan, Ward No.9, P.S. - Parihar, District - Sitamarhi, State - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Bela P.S. Case No. 06 of 2025 instituted for the offences under Sections 317(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 330 liters of illicit Nepali liquor from altogether five motorcycles. The petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence



as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are not the owner of any of the alleged motorcycles. The petitioners have also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 08.01.2025 without any rhyme or reason. Learned counsel for the petitioners further submits that the charge-sheet has been submitted and the cognizance has also been taken in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent,



let the petitioner, abovenamed, 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 Bela P.S.
Case No. 06 of 2025.

(Rudra Prakash Mishra, J)

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