

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19336 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- KOCHADHAMAN District- Kishanganj

1. Sonu Kumar @ Sonu Kumar Sharma S/O Ram Chandra Sharma R/O Village- Chainpur, Ward No. 14, P.S- Bangaon, Distt.- Saharsa.
2. Vikki Kumar S/O Rameshwar Sharma R/O Village- Chainpur, Ward No. 14, P.S- Bangaon, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Special Case No. 11 of 2025, arising out of Kochadhaman P.S. Case No. 18 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 45.480 liters liquor was recovered from car and the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that petitioner no. 1 is driver and petitioner no. 2 is passenger of the vehicle who took lift from petitioner no. 1. The petitioners are not owner of the car in question. The petitioners are in custody since 11.01.2025. Petitioner no. 1 has got one criminal antecedent in which he is on bail and petitioner no. 2 has got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 24.03.2025 passed in Cr. Misc. No. 17515 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Special Case No. 11
of 2025, arising out of Kochadhaman P.S. Case No. 18 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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