

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20872 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- GARKHA District- Saran

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1. Nitesh Kumar Son of Badri Ray Resident of Village - Balua, P.S.- Doriganj, District - Saran.
 2. Dilkhush Kumar Son of Dhaneshwar Ray Resident of Village - Balua, P.S.- Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Garkha P.S. case No. 141 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 223 liters liquor was recovered from two motorcycles. Both the petitioners were arrested 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 has been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. It is further submitted that recovery is made from orchard which is an open place accessible to one and all and the motorcycles were parked in the orchard. The motorcycles in question do not belong to the petitioners. The petitioners are in custody since 04.03.2025. The petitioner No. 1 has got two criminal antecedents while petitioner No. 2 has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Garkha P.S. case No. 141 of 2025.

(Rudra Prakash Mishra, J)

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