

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23526 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- BARGAINIA District- Sitamarhi

1. Raju Kumar Son of Surendra Ram Resident of Village -Jamua, Ward No 13, PS- Bairgania, Dist- Sitamarhi
2. Sajan Kumar Son of Late Ajay Sah village- Masaha Alam ward no. 3, ps- Bairgania, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bairgania P.S. Case No. 38 of 2025 dated 09.03.2025 registered for the offences punishable u/s 317(5) of the BNS read with Section 30(a), 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 629.1 litres of illicit Nepali country made liquor was recovered from four motorcycles at Satpurba Ring Dam, out of which 288 litres of Nepali country made liquor recovered from two motorcycles in possession of the petitioners.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no concern with the alleged recovery of illicit liquor. Petitioners are not the owner of the seized motorcycles. The petitioners have one criminal antecedent in which they are on bail as stated in para 3 of the bail petition. The petitioners are in custody since 11.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Bairgania P.S. Case No. 38 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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