

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25859 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- SAHARGHAT District- Madhubani

1. Murari Choudhary@Murari Son of Amresh Choudhary village- Phulkahi, Ps- Raiyaam, Dist- Darbhanga
2. Sunil Kumar Sahni @ Sunil Sahani @ Sunil Kumar Son of Ramavatar Sahani village- Phulkahi, Ps- Raiyaam, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Saharghat P.S. Case No. 17 of 2025 instituted for the offences punishable under Sections 274, 275, 3(5) of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 225 litres of liquor was recovered from Auto bearing Registration No. BR-07-PC-3071.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioner no.1 is only the passenger of the vehicle in question whereas petitioner no.2 is the owner and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 23.02.2025. Petitioner no. 1 has no criminal antecedent whereas petitioner no. 2 has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Saharghat P.S. Case No. 17 of 2025.

(Rudra Prakash Mishra, J)

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