

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26785 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- LAUKAHI District- Madhubani

1. Rohit Kumar @ Rohit Kumar Ray S/o Satya Narayan Ray @ Narayan Ray R/o Village- Mahadeva, Ward No.-1, P.O.- Kariyaut, P.S.- Laukahi, District- Madhubani
2. Shyam Balak Yadav S/o Ravindra Yadav R/o Village- Mahadeva, Ward No.- 1, P.O.- Kariyaut, P.S.- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.
For the Opposite Party/s : Mr.Anant Kumar I, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Laukahi P.S. Case No. 46 of 2025 instituted for the offences under Sections 274, 275, 3(5) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case has recovered total 144 liters of illicit country-made liquor from four black sacs. It is alleged that 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. The petitioners have not committed any offence as alleged in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioners rather the same has been recovered from an open place which is accessible to one and all. 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 07.03.2025 without any rhyme or reason.

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

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, 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 Laukahi P.S. Case No. 46 of 2025.

(Rudra Prakash Mishra, J)

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