

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26985 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- THALI District- Nawada

1. Guddu Ram @ Sintu Son of Baudhu Ram @ Ram Lakhan Ram Resident of village - Sughri, P.S.- Thali, District - Nawada.
2. Nitish Ram @ Pintu Son of Chotan Ram @ Chotelal Ram @ Chhotelal Rajwanshi Resident of village - Sughri, P.S.- Thali, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Thali P.S. Case No. 37 of 2025, instituted for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 160 liters liquor was recovered from jute sacks near *Kali* temple.

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 the alleged recovery has been made from an open place which is easily accessible to public at large and the same do not belong to the petitioners. It is next submitted that the petitioners were passerby of that way and they were arrested on the basis of suspicion. The petitioners are in custody since 10.03.2025 and have got one criminal antecedent in which they are on bail. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 24920 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 Thali P.S. Case No.
37 of 2025.

Rajorshi/-

(Rudra Prakash Mishra, J)

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