

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34419 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- THALI District- Nawada

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1. Preman Ram S/o Rajo Ram R/o Vill - Krishna Nagar, P.S - Thali, Dist - Nawada
 2. Umesh Ram S/o Kashi Ram R/o Vill - Krishna Nagar, P.S - Thali, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-06-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioners they are in custody in connection with Thali P.S. Case No. 47 of 2025, lodged on 23.02.2025, under Section 30(a)(d), 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 150 litres of country made liquor and other articles have been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Counsel also submits that the recovery of alleged country made liquor has been made from the mango orchard and petitioners have no concern with the alleged recovery. Counsel further submits that petitioners were not arrested from the spot and nothing have been recovered from the conscious possession of these petitioners. Counsel further submits that the name of the petitioners taken by local chaukidar and antecedent of the petitioner No.1 is clean and petitioner No.2 has one criminal antecedent and they are in custody since 07.04.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the recovery has been made from the mango orchard.

6. In the present facts and circumstances of this case, let the petitioner No.1, namely, Preman Ram, be released on bail and **petitioner No.2, namely, Umesh Ram, be released on bail after framing of charge, if not framed**, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Judge-1, Nawada, in connection with Thali P.S. Case No. 47 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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