

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33930 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- CHIRAIYA District- East Champaran

1. Niranjan Kumar Son of Shankar Thakur VILLAGE- SIRPUR KASWA ,P.S-CHIRAIYA , DIST-EAST CHAMPRAN
2. Arjun Kumar son of Rambhu Rai VILLAGE- SIRPUR KASWA ,P.S-CHIRAIYA , DIST-EAST CHAMPRAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunny Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Amendment Act and Section 317(5) of the B.N.S.

3. Perusal of the first information report and the seizure list, would go to show that 45 liters of Nepali country made liquor is said to have been recovered from a bag which was being carried by two persons on a motorcycle. The petitioners are said to have been arrested on the spot as the two persons who were riding on the said motorcycle.

4. It is submitted by learned counsel for the



petitioner that there is no recovery from the physical and conscious possession of the petitioners as the bag from which the recovery has been made does not belong to these petitioners. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list and the petitioners are in custody since 23.02.2025 with no criminal antecedent and the charge sheet has been submitted in the case.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the fact and circumstances of the case, the above named petitioners is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chiraiya P.S. Case 86 of 2025.

(Soni Shrivastava, J)

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