

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36586 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- Lakho District- Begusarai

1. Ayush Kumar S/O Late Tilkeshwar Sah Resident of village- Bishunpur ward no. 43, P.S.- Begusarai Nagar, District- Begusarai
2. Prashant Kumar S/O Ajay Kumar Resident of village- Mirjapur Banduwar, P.S.- Begusarai Nagar, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shrivastava, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-05-2025 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 Section 111 of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list would go to show that 5 liters of beer is said to have been recovered from the Aastha Restaurant of Sanni Kumar against whom it is stated that he managed to escape and 8 to 10 persons, who were seated in the Restaurant, were arrested including the petitioners.



4. It is submitted by learned counsel for the petitioners that no recovery has been made from the conscious or physical possession of the petitioner. There is violation of mandatory provisions of search and seizure as there is no independent witness to the seizure list. It is further submitted that the petitioners have no concern with the owner of the Restaurant. It is also pointed out that the charge-sheet has been submitted in this case. Petitioners have no criminal antecedent and has been languishing in custody since 01.05.2025.

5. Taking into consideration the fact and circumstances of the case, the above named petitioners are 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 Lakho P.S. Case No.82 of 2025.

(Soni Shrivastava, J)

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