

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43118 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- HARLAKHI District- Madhubani

1. Manoj Kumar Sharma @ Manoj Sharma Son of Late Rajeshwar Sharma
Village -Phulhar PS -Harlakhi District -Madhubani
2. Saroj Yadav son of Gulai Yadav Village -Phulhar PS -Harlakhi District
-Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv.
For the State	:	Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in a case registered for the offences punishable u/s 274, 275, 3(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. A perusal of the FIR and the seizure list would go to show that altogether 675 litres of Nepali country made liquor was recovered from a vehicle (Mahindra Xylo) bearing Registration No. HR-77B-8082.

4. Learned counsel for the petitioners submits that no recovery was made from the physical and conscious possession of the petitioners and their names have transpired in the present



case on account of the confessional statement of the apprehended co-accused, namely, Sundar Mukhiya and Dilip Mukhiya who have already been granted bail by this Court. It is next submitted that the seized vehicle does not belong to the petitioners and there is no independent witness to the seizure list. Petitioners have been languishing in custody since 20.05.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that both the petitioners have one criminal antecedent each. In response to the same, it is submitted on behalf of the petitioners that petitioner no.1 is on bail while petitioner no.2 has been acquitted.

6. Considering the above-mentioned facts and circumstances, the above named petitioners are directed to be enlarged 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 the learned Court below where the case is pending/successor Court in connection with Harlakhi P.S. Case No. 53 of 2025.

(Soni Shrivastava, J)

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