

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44437 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- JOGAPATTI District- West Champaran

1. Jitendra Sharma S/O Sri Bahadur Sharma Resident of Village- Machchargawan Hathiya, Ward No. 01, P.S- Jogapatti, District- West Champaran.
2. Sunil Kumar S/O Sri Gaya Ram Resident of Village- Machchargawan Purbi Tola, Ward No. 04, P.S- Jogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Jogapatti PS Case No. 115 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total 30.240 liters country made liquor was recovered from two motorcycles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted petitioners have no concern with the motorcycles in question. The petitioners are in custody since 08-03-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jogapatti PS Case No. 115 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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