

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47607 of 2025**

Arising Out of PS. Case No.-147 Year-2025 Thana- ATHMALGOLA District- Patna

1. Bablu Thakur Son of Ramdev Thakur R/o- Dhoulal Raya Ka Tola, P.S.- Athmalgola, Distt.- Patna
2. Sone Lal Ray Son of Jag Narayan Ray R/o- Dhoulal Raya Ka Tola, P.S.- Athmalgola, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Athmalgola P.S. Case No. 147 of 2025, instituted for the offences punishable under Section 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 107 liters liquor was recovered from two sacks and the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor.



Learned counsel for the petitioners also submits that the place of recovery does not belong to the petitioners. The alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioners are in custody since 02.05.2025 and have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 40111 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Athmalgola P.S. Case No. 147 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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