

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55636 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- DESARI District- Vaishali

Anil Sharma @ Anil Kumar S/o Raj Ballabh Sharma @ Raj Balam Sharma
R/o Village - Nawa Nagar, P.S- Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 55702 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- DESARI District- Vaishali

Anil Rai Son of Lal Babu Rai R/O- Vill- Babhangawan Jahangirpur Sham ,
P.S - Bidupur (Chandpura O.P). Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 55636 of 2025)
For the Petitioner/s : Mr. Rudal Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP
(In CRIMINAL MISCELLANEOUS No. 55702 of 2025)
For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 22-09-2025 Heard Mr. Rudal Singh, Mr. Surendra Kumar Singh

learned counsel for the petitioners, Mrs. Renu Kumari and Mr.

Md. Nazir Ansari learned APP for the State.

2. The petitioners seek bail in connection with Desari

P.S. Case No. 324 of 2024, instituted for the offences under

Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023 and



Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. This is the second attempt of the petitioners for bail. The petitioners have renewed their prayer for grant of regular bail which was earlier rejected on merit by this Court vide order dated 30.01.2025 passed in Cr. Misc. No. 83530 of 2024 and Cr. Misc. No. 85342 of 2024.

4. In compliance of the order dated 08.08.2025, a report dated 30.08.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that trial is at the stage of prosecution evidence. Charge has been framed and out of five witnesses, no any witness has been examined in this case. It is further reported that the trial is likely to be concluded within a period of 09-12 months.

5. Learned counsel for the petitioners submits that the petitioners are languishing in judicial custody since 20.09.2024 without any rhymes or reason.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners as also charge has been framed



against the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Desari P.S. Case No. 324 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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