

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71648 of 2025

Arising Out of PS. Case No.-1268 Year-2025 Thana- PHULWARISHARIF District- Patna

1. Dharmendra Basfor Son of Dinesh Basfor R/O Tarwan Chatty, P.S.- Darauri, District - Siwan at present R/O Digha Udan Tola, P.S.- Digha, District - Patna
2. Suraj Kumar Son of Pradhan Basfor @ Paridhan Ram R/O Ghurdaur Road, Pappu Manjhi Gali, P.S.- Rajeev Nagar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 01-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Phulwari (Janipur) P.S. Case No. 1268 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 70 litres of liquor was recovered from *Toto* vehicle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are in no manner connected with the vehicle in question or with the alleged recovery of liquor. The petitioners are in custody since 07.08.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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. 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 Phulwari (Janipur) P.S. Case No. 1268 of 2025.

(Rudra Prakash Mishra, J)

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