

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78027 of 2025

Arising Out of PS. Case No.-409 Year-2025 Thana- JHAJHA District- Jamui

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1. Sumit Kumar S/o Umesh Singh R/o Village - Gangara, P.S - Giddhaur,
District - Jamui, Bihar
 2. Lalu Kumar S/o Ram Kumar Rai R/o Village - Dabaipatti (Sarairanjan), P.S
- Sarairanjan (as per F.I.R P.S - Samastipur), District - Samastipur , Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Advocate

For the Opposite Party/s : Mr.Nityanand, A.P.P.

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

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with JhaJha
P.S. Case No. 409 of 2025, instituted for the offences punishable
under Sections 30(a) and 32 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 822
liters liquor was recovered from three cars.

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. The petitioners are not the owner of the vehicles and the said recovery has been planted for extraneous consideration. The petitioners are in custody since 22.08.2025. The petitioner No.1 has three criminal antecedent and petitioner No.2 has one criminal antecedent. 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. 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 JhaJha P.S. Case No. 409 of 2025, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

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