

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77271 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- AGION (GARHANI) District- Bhojpur

1. Sonu Kumar S/o Nand Kishor Rai R/O Village- Sabalpur Neval Tola, P.S- Sonepur, District- Saran
2. Sonu Kumar S/o Shatrudhan Ray @ Shatrudhan Rai R/O Village- Sabalpur Neval Tola, P.S- Sonepur, District- Saran

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s	:	Mr. Rina Sinha, Advocate
		Mr.Dhirendra Prasad Sinha, Advocate
For the Opposite Party/s :		Mr.Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Garhani P.S. Case No. 140 of 2025, instituted for the offences punishable under Sections 317(5), 318(4), 338, 336(3) of the BNSS.

3. The prosecution case, in short, is that 319.68 liters liquor was recovered from Pick-up.

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 further submitted that petitioners are driver and co-driver, respectively, of the vehicle and they have no knowledge about goods loaded on the vehicle. The petitioners are in custody since 27.08.2025 and have got no 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, ***after framing of charge, if not already framed***, 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 Garhani P.S. Case No. 140 of 2025, 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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