IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84260 of 2025

Arising Out of PS. Case No.-490 Year-2025 Thana- MIRGANJ District- Gopalganj

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1. Sonu Chauhan Son of Lalan Chauhan Resident of Village- kavilaswa PS- Mirganj District -Gopalganj
2. Sonu Kumar son of Kalekter Yadav Resident of Village- Chandraman Hata, ps- Barhariya, Dist- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Harshvardhan, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Mirganj P.S. Case No. 490 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 303.00 liters liquor was recovered from car.

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

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the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are neither owner nor driver of the vehicle and the said recovery has been planted for extraneous consideration. The petitioners are in custody since 11.10.2025. The petitioner No.1 has one criminal antecedent, whereas petitioner No.2 has two criminal antecedents. 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 Mirganj P.S. Case No. 490 of 2025.

(Rudra Prakash Mishra, J)

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