

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83686 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- Refinery District- Begusarai

1. Rupesh Kumar S/O Late Abhinandan Singh @ Avinadan Singh R/O Village- Harpur, P.S- Refinery, Distt.- Begusarai.
2. Ramvriksh Thakur S/O Ramuchit Thakur R/O Village- Harpur, P.S- Refinery, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2025 Heard Mr. Abhishek Kumar, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Refinery P.S. Case No. 114 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 423 liters liquor was recovered from the rented house of petitioner no. 1 and both the petitioners were arrested on spot.

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. Learned counsel for the petitioners also submits that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. It is further submitted that the petitioners have been arrested only on the basis of suspicion. The petitioners are in custody since 18.10.2025. Petitioner no. 1 has got seven criminal antecedents and petitioner no. 2 has got 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 *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 Refinery P.S. Case No. 114 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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