

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84786 of 2025

Arising Out of PS. Case No.-139 Year-2024 Thana- SONBERSA District- Sitamarhi

Devendra Thakur @ Debendra Thakur S/o Late Suryadeb Thakur Resident of
village- Ward No. 09, Pakariya P.O. Pipra Parsain, P.S.- Sonbarsa, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Sonbarsa PS Case No. 139 of 2024 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act
and 414 of the Indian Penal Code (for short ‘IPC’).

3. The prosecution case, in short, is that 531 liters
Nepali liquor was recovered from five motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that name of the petitioner is disclosed during course of investigation. Petitioner has no concern with any of the motorcycles in question. The petitioner is in custody since 29.08.2025 and has got eleven (11) criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa PS Case No. 139 of 2024, 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)

Raj Kishore/-

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