

Arising Out of PS. Case No.-425 Year-2025 Thana- BARAULI District- Gopalganj

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Kamlesh Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

ORAL ORDER

2. The petitioners seek bail in connection with Barauli No. 425 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 10(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 82.26 liters liquor was recovered from Bolero car 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 submitted that the petitioners have been arrested only on the basis of suspicion. It is further submitted that the petitioners are neither owner nor driver of the car in question. The petitioners are in custody since 16.12.2025 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 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 Barauli P.S. Case No. 425 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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