

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88035 of 2025

Arising Out of PS. Case No.-1051 Year-2024 Thana- BIHTA District- Patna

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1. Mageru Kumar @ Titesh Kumar @ Mangeru Kumar @ Mangru Kumar @ Ritesh kumar S/o Jawahir Ray @ Jawahir Singh @ Javahir Ray R/o vill - Maudahi, P.S.- Bihta, Distt.- Patna
 2. Jalsa Kumar @ Kamlesh Ray @ Kamlesh Rai S/o Monka Ray @ Munarik Ray R/o vill - Maudahi, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.
For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bihta PS Case No. 1051 of 2024 instituted for the offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 180 litres of liquor was recovered near the bank of the river.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis of disclosure made by the apprehended co-accused person. Learned



counsel further submitted that the recovery is made from near the bank of river, which is an open place accessible to one and all. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners. The petitioner have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail 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 Bihta PS Case No. 1051 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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