

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90619 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- SONBERSA District- Sitamarhi

Devendra Thakur @ Debendra Thakur Son of Late Suryadeb Thakur Resident
of village -Ward No 09, Pakariya, PO -Pipra Parsain, PS -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 : Mrs. Renu Kumari, APP

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

ORAL ORDER

3 24-02-2026 Heard Mr. Ayush Kumar, learned counsel for the

petitioner and Mrs. Renu Kumari, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with
Sonbarsa P.S. Case No. 374 of 2024 instituted for the offences
punishable under Sections 317(5) of the Bharatiya Nyaya
Sanhita, 2023, Section 30(a) of the Bihar Prohibition and Excise
Act and 25(1-b)a, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that total 204 litres
of liquor was recovered from four motorcycles. It is further
alleged that pistol and revolver has also been recovered from the
house of the petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is in no manner connected with the vehicles in question or with the alleged recovery of liquor and arms. Learned counsel further submitted that the recovery of arms has been made from the joint house of the petitioner where other family members of the petitioner also reside. The petitioner is in custody since 29.08.2025 and has eleven criminal antecedents, out of which, he has been acquitted in four cases. 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case as also 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa P.S. Case



No. 374 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The petitioner shall not commit any offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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