

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2422 of 2018**

Arising Out of PS.Case No. -127 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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Rahul Kumar, son of Late Ajay Ray, resident of Village+ P.O.- Pasopur,  
P.S.- Bhagwanpur, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

2      23-01-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Bhagwanpur P.S. Case  
No. 127 of 2017 registered under Sections 30 and 30(A)/376 of  
the Bihar Prohibition and Excise Act.

540 liters of foreign liquor is said to have been  
recovered from the truck standing on the brick kiln of Ajay Mishra  
and from the brick kiln of Raushan Kumar and three persons  
including the petitioner were apprehended from the place of  
occurrence while others managed to escape.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from conscious  
physical possession of the petitioner. As a matter of fact, the



petitioner happens to be labourer working on the brick kiln and he has no concern with the seized liquor. Similarly situated co-accused, namely, Shubham Kumar @ Shubam Kumar and Shivchandra Jha who have also been apprehended on the spot along with the petitioner have been enlarged on bail by a co-ordinate bench of this court vide order dated 17.11.2017 passed in Cr. Misc. No. 55438 of 2017. The petitioner has no criminal antecedent. He has been languishing in custody since 23.07.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII Begusarai-cum-Special Judge, Begusarai Bihar Prohibition and Excise Act, 2016 in connection with Bhagwanpur P.S. Case No. 127 of 2017.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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