

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35142 of 2021**

Arising Out of PS. Case No.-148 Year-2020 Thana- RAGHOPUR District- Vaishali

RAHUL KUMAR S/O SHIVCHANDRA RAI R/o village- Jafrabad Tak, P.S.-
Raghopur (Rustampur O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 04-01-2022 Heard Mr. Rakesh Kumar Soni, learned counsel for
the petitioner and Mr. Bharat Lal, Additional Public Prosecutor
for the State through video conferencing.

Petitioner seeks regular bail in connection with
Raghopur (Rustampur OP) PS Case No. 148/2020 registered for
the offence punishable under Sections 30(a) of Bihar Prohibition
& Excise Act 2018.

The allegation, as per First Information Report, is that
the police, on the basis of secret information that the petitioner
along with other accused persons are engaged in the business of
illicit liquor, proceeded towards the place of occurrence and
recovered 70 litres of country made liquor from the bank of
river.

Learned counsel for the petitioner submits that the



petitioner was not arrested from the place of occurrence rather he was arrested from his house and no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him. Learned counsel next submits that petitioner has got no criminal antecedents and is in custody since 14.02.2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 14.02.2021 having no criminal antecedents, no illicit liquor has been recovered from his possession nor from the premises belonging to him and charge-sheet has been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAHUL KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Raghapur (Rustampur OP) PS Case No. 148/2020.

(Anil Kumar Sinha, J)

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