

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54014 of 2021**

Arising Out of PS. Case No.-386 Year-2021 Thana- Begusarai Mufassil District- Begusarai

RUPESH KUMAR S/O KAILASH SINGH R/o village- Akashpur, P.S.-  
Mufassil, District- Begusarai ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Indrajeet Kumar  
Mr. Bipin Kumar  
For the Opposite Party/s : Ms. Pushpa Sinha 1

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

2      13-05-2022                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Mufassil Police Station Case No. 386 of 2021, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police raided the house of the petitioner and recovered 52.65 litres of illicit liquor from the said house.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and he has not committed any offence in the manner alleged. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner; rather the same has been recovered from the joint house, in which



other family members of the petitioner also reside. He further submits that the petitioner is in custody since 22.07.2021, having no criminal antecedent and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that illicit liquor has not been recovered from the conscious possession of the petitioner, charge sheet has already been submitted and the petitioner is in custody since 22.07.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge -cum- Special Judge, Excise, Begusarai, in connection with Mufassil Police Station Case No. 386 of 2021.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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