

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9814 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- GOPALPUR District- Gopalganj

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RUPESH KUMAR S/o Prem Chand Prasad R/o Village- Belwa Brit, P.S.-  
Kuchaikote, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      18-04-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under section 30(a) of the  
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 115  
liters country made liquor from a motorcycle bearing  
Registration No. BR28C-1487 which is alleged to be driven by  
the petitioner at the time of his apprehension.

Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has  
committed no offence. He has falsely been implicated in this  
present case. Petitioner has no concern with the alleged



recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 23.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the the alleged vehicle from where the recovery of liquor has been made was being driven by the petitioner at the time of his arrest.

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gopalpur P.S. Case No. 256 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV-cum-Exclusive Special Judge, Excise Court-II, Gopalganj.

The petitioner is directed to deposit a sum of Rs 5000/- (Five Thousand) in the District Legal Services



Authority of concerned District.

(Sunil Kumar Panwar, J)

Amandeep/-

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