

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53401 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- RAGHOPUR District- Supaul

=====

Rahul Kumar Yadav@Rahul Kumar Son Of Bijendra Kumar Resident Of
Village- Giripatti (Ward No.- 07) P.S.- Raghapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. 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.

3. As per FIR, prosecution case relates to recovery
of 297 liters Nepali Dilwale liquor and three motorcycles
were also recovered.

4. 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 merely on the basis of discloser of local villagers.
The petitioner has no concern with the alleged recovery and



he was also not apprehended from the place of recovery and motorcycles in question do not belong to him. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.03.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Raghopur P.S. Case No. 105 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-II, Supaul.

(Sunil Kumar Panwar, J)

Manishkr/-

U		T	
---	--	---	--

