

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82159 of 2023**

Arising Out of PS. Case No.-45 Year-2023 Thana- Excise P.S. District- Siwan

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RAHUL KUMAR S/O LATE ASHOK KUMAR RAM R/O VILLAGE-  
AKILPUR, CHANDWARI, SONPUR, P.S- SONPUR, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

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

2      19-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Excise P.S. Case No. 501 of 2023 registered under section 30(a), of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 104.400 liters of IMFL from a tempo.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no



concern with the seized illicit liquor. It is also submitted that the petitioner is not the owner of the said vehicle. Moreover, he is languishing in judicial custody since 10.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Maharajganj P.S. Case No. 45 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-Court-II Siwan.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) by the petitioner in the



account of concerned DLSA.

(Sunil Kumar Panwar, J)

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