

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37919 of 2024**

Arising Out of PS. Case No.-599 Year-2023 Thana- Excise P.S. District- Saran

Rahul Kumar Son of Late Kameshwar Ram Resident of village - Kewani,  
P.S.- Garkha, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr. Ashok Kumar, Advocate |
| For the State        | : | Mr. Amitesh Kumar, APP    |

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      22-05-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with Sadar Excise P.S. Case No. 599 of 2023 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, total 28 litres of illicit liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that there is no recovery from the conscious possession of the petitioner and seized



motorcycle bearing Reg. No. BR04P9781 does not belongs to the petitioner. He further submits that the petitioner is in custody since 14.10.2023 and other co-accused person has already been gratned bail by this Court vide order dated 09.04.2024 passed in Cr. Misc. No. 26626 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the First Informant Report, impugned order dated 16.02.2024 and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount to the satisfaction of learned 3<sup>rd</sup> Exclusive Special Excise Court, Saran at Chapra in connection with Sadar Excise P.S. Case No. 599 of 2023.

**(Ramesh Chand Malviya, J)**

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