

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48521 of 2024**

Arising Out of PS. Case No.-191 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Rahul Kumar Chaudhary @ Rahul Chaudhary S/o Kallu Chaudhary R/o  
Ghegha, P.s. - Muffasil, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mirtunjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

- 2      10-07-2024      1. Heard learned counsel for the petitioner and learned  
APP for the State.
2. The petitioner seeks bail in connection with Muffasil  
P.S. Case No. 191 of 2024 instituted for the offences punishable  
under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 600 litres  
of illicit liquor was recovered from sack.
4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No  
incriminating article has been recovered from the conscious  
possession of the petitioner rather the recovery has been made  
from an open place from a sack kept on the roadside. The  
petitioner has got no concern with the alleged recovery of



liquor. Learned counsel further submitted that petitioner was not apprehended on the spot, rather the name was disclosed by the local *Chowkidaar*. The petitioner is in custody since 02.05.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 191 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

