

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48473 of 2024**

Arising Out of PS. Case No.-437 Year-2021 Thana- MAHUA District- Vaishali

Rahul Kumar Singh @ Rahul Kumar @ Rahul Singh S/o Ratnesh Kumar  
Singh @ Ratnesh Singh Resident of village Nizma Tarauna, P.S. - Mahua,  
Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      20-07-2024              **1.**      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

**2.**      The petitioner seeks bail in a case registered for the  
offences punishable under Section 414 of the Indian Penal Code and  
Sections 30(a), 32(ii), 34(ii), 38(ii), 41(i) of Bihar Prohibition and  
Excise Act.

**3.**      Learned counsel for the petitioner submits that  
petitioner has antecedent of 21 cases, it is next submitted that all  
cases are under the Excise Act. It is further submitted that this amply  
demonstrates that the moment a person comes to be implicated in a  
case related to excise thereafter the police in a mechanical manner  
started implicating him. It is also submitted that in majority of the  
cases, the petitioner was not named in the FIR. It is further submitted  
that allegation is of recovery of 3584.160 litres of liquor from a truck



and one Sanjay was apprehended.

4. It is next submitted that petitioner was not apprehended from the spot as such nothing was recovery from his conscious possession and he came to be implicated based on confessional statement of Sanjay in police custody which does not have any evidentiary value. It is next submitted that in the present case also, the petitioner came to be implicated in the manner as he has been implicated in other cases. It is further submitted that petitioner is in custody since 11-6-2024.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 437 of 2021.

**(Satyavrat Verma, J)**

SUMIT/-

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