

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53957 of 2024

Arising Out of PS. Case No.-720 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Rahul Kumar Singh, SON OF LATE RAMRATAN SINGH Resident of Vill.-
Nararayanpur ward no . 12 P.S.- Saraigarh Bhaptiyahi, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 30-08-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.
2. The accused/petitioner is named in F.I.R.

and apprehending his arrest in connection with Excise

P.S. Case No. 720 of 2024, registered for the offences

punishable under Sections 30(a), 32(3) of Bihar

Prohibition and Excise (Amendment) Act, 2022.
3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery 324 litres of IMFL/foreign liquor

from the bus.



4. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was made from the bus, which is a public career and implication of this petitioner only appears being owner of the said vehicle. It is submitted that admittedly recovery of illicit liquor was not made from the conscious physical possession of this petitioner. While concluding the argument, it is also pointed out that seizure list witnesses are police personnels and moreover, the petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail 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 No-II, Muzaffarpur/concerned Court, where the case is pending in connection with Excise P.S. Case No. 720 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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