

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84828 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- Jagdishpur District- West Champaran

Rahul Kumar S/O Kishun Ram @ Shri Kishun Ram R/O Village- Shyampur,
P.S- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.
For the Opposite Party/s : Mr.Bharat Lal, APP

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

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jagdishpur P.S. Case No. 92 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
28.8 liters of illicit liquor from the motorcycle bearing Regd.
No. BR28R-2211.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case. The petitioner is alleged to be driving the alleged motorcycle but, has no concern with the same as the same does not belong to the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that the police forcefully took signature of the petitioner on the plain paper and later on converted the same to seizure list. The petitioner has no concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent,



let the petitioner, abovenamed, 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 Jagdishpur P.S.
Case No. 92 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

