

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4362 of 2025

Arising Out of PS. Case No.-10 Year-2024 Thana- JOKIHAT District- Araria

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Rahul Kumar @ Vicky Yadav @ Vikki Yadav S/O Uma Kant Yadav R/O
Vill.- Belwa Kamat, Ward no. 04, P.S- Sadar (Muffasil) District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Ms. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-02-2025 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 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of 15 cases under the Excise Act and
allegation is of recovery of 532.40 litres of liquor from a vehicle as
detailed in the FIR.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession. It is next submitted that
petitioner had sold his vehicle to Amod Kumar Chaudhary prior to
the occurrence. It is further submitted that Amod Kumar Chaudhary
also came to be implicated who had approached this Court seeking
anticipatory bail by filing Criminal Miscellaneous No. 52797 of
2024. It is next submitted that Amod Kumar Chaudhary came to be
implicated in the instant case for the reason that he had approached



the learned Trial Court for getting the vehicle released. It is next submitted that this Court while granting anticipatory bail to Amod had considered the fact that had Amod been involved in the occurrence then he would never have moved before the learned Trial Court for getting the vehicle released, but then it is submitted that this amply demonstrates that petitioner was not the owner of the vehicle when the occurrence is alleged to have been committed. It is also submitted that once a person is implicated in a case relating to excise, the police starts implicating mechanically and the petitioner is in custody since 20.11.2024.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Jokihat P.S. Cae No. 10 of 2024.

(Satyavrat Verma, J)

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