

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3840 of 2025

Arising Out of PS. Case No.-1027 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Rahul Kumar @ Phuldeo Kumar @ Phuldeo Sah S/o- Chhotan Sah Resident
of village- Jaisinghpur Durga chowk Ps- Turkauliya District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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

ORAL ORDER

6 30-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Turkaulia PS Case No. 1027 of 2023 instituted for the

offences under Sections 30(a) and 41(i) of the Bihar

Prohibition and Excise Act.

3. The prosecution case, in short, is that total 130

litres of country made liquor was recovered from

motorcycle.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. No incriminating material has been

recovered from the conscious possession of the petitioner.



The petitioner has got no concern with the alleged recovery of liquor. It is submitted that motorcycle in question does not belong to the petitioner. It is further submitted that local people disclosed the name of the petitioner. The petitioner is in custody since 03.11.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Turkaulia PS Case No. 1027 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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