

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10262 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- BALIYA District- Begusarai

Rakesh Kumar Yadav S/o Late Rajesh Yadav, R/o Vill.- Danauli Phulwaria,
P.S.- Ballia, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Ballia P.S. Case No.79 of 2024, registered for the offences punishable under Sections 290, 120(B) of the Indian Penal Code and under Sections 30(a), 32, 41(1)(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant got secret information that some accused persons who are liquor traders are unloading foreign liquor in Sadanandpur, Bahiyar from Truck to Tractor and Scorpio. It is stated that when the informant reached there, all the accused persons managed to escape but on chase one person arrested and total 1352.160 liter foreign liquor in 4080 Bottles, Truck, Scorpio and Tractor were



seized from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case by the co-accused. He further submits that due to the criminal antecedent of four cases he has been made accused in this case on the basis of suspicion. Learned counsel submits that petitioner has no concern with the seized liquor, neither he is driver nor the owner of the vehicle. He further submits that petitioner is in custody since 07.01.2025 and charge sheet has already been submitted in this case. Learned counsel submits that no incriminating material has been recovered from the conscious possession of the petitioner. He further submits that there is no compliance of Section 100 of Cr.P.C. Learned counsel submits that similarly situated co-accused, namely, Ranjeet Prasad Singh has been granted bail by the Co-ordinate Bench of this Court vide order dated 30.04.2024 passed in Cr. Misc. No.32321 of 2024.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let 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 learned Exclusive Special Judge, Excise Act, Court No.II, Begusarai in connection with Ballia P.S. Case No.79 of 2024.

(Sunil Dutta Mishra, J)

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