

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8178 of 2025

Arising Out of PS. Case No.-2744 Year-2024 Thana- Excise P.S. District- Patna

Rakesh Kumar S/o Devendra Rai R/o Mohalla - Marufganj (Patthar Ghat),
P.S.- Chowk Thana (Patna City), Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Patna PS Case No. 2744 of 2024 instituted for the offences
under Sections 30(a) and 56(b) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 200
litres of spirit (sushava) was recovered from Tempo.

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 petitioner is the owner cum driver of the seized vehicle and



he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 04.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Charge-sheet has been submitted in this case.

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, clean antecedent of the petitioner 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna PS Case No. 2744 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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