

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14928 of 2025

Arising Out of PS. Case No.-610 Year-2019 Thana- SHERGHATI District- Gaya

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Rahul Kumar @ Rahul Yadav S/O Suresh Yadav Resident Of Village - Jabra,
P.S.- Hunterganj, District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-04-2025 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Sherghati P.S. Case No. 610 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 16 litres of Mahua.

4. It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in this case out of disclosure of co-accused namely Rakesh Kumar. It



is submitted that admittedly recovery of illicit liquor was not made from the conscious physical possession of this petitioner who is a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid facts and submission as recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. V, Gaya /concerned Court, where the case is pending in connection with Sherghati P.S. Case No. 610 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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