

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14177 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Excise P.S. District- Begusarai

Rakesh Kumar, (Male-47 years), S/o- Late Mahendra Jha, R/O Village-
Sinhma Shirniya, P.S.- Matihani, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Begusarai Excise P.S. Case No. 52 of 2025 dated 08.02.2025 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 181.170 litres of foreign liquor is said to have been recovered from the Maruti swift car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is neither the owner of the swift car



nor he has any connection with the alleged seized liquor. The petitioner is alleged to be the driver of the said car. He had no knowledge that the illegal illicit liquor was kept in the owner of the vehicle. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 103 of the B.N.S.S. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 09.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 02, Begusarai in connection with Begusarai Excise P.S. Case No. 52 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

