

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22478 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Rakesh Kumar @ Rakesh Raj son of Rajendra Ray Resident of ward no 2,
near sbi bank, Darha Than Singh, ps- Bakhari, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabish Kumar

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 16-05-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of
Naokothi Police Station Case No. 09 of 2025, disclosing
offences under Sections 61(2) of the Bhartiya Nyaya
Sanhita, 2023, and Section 30(a), 32, 41 of the Bihar
Prohibition and Excise Act, 2018 and Sections 25(1-AA),
25(1-B)a, 26, 25 of the Arms Act.
3. As per the prosecution case, on 13.01.2025, informant
informed Naokothi police that on the night of 12.01.2025,
he received a secret information about illegal liquor being
unloaded from a Hywa vehicle (HIP-4790) by Ranjit
Mahto. The police reached the place of occurrence and
apprehended Vijay Rajak, who disclosed that the



petitioner and others were involved in the illegal liquor trade and upon search, 207 liters of illicit liquor, two country-made pistols, 29 live cartridges, and mobile phones were recovered from apprehended co-accused Vijay Rajak.

4. Learned counsel for the petitioner submits that the petitioner has been made accused merely on the basis of confessional statement of the apprehended co-accused namely Vijay Rajak. Petitioner was not present at the spot. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner had no role in the transportation and/or concealment of the liquor recovered from the truck. He further submits that illicit liquor, fire-arms and live cartridges were recovered from the apprehended co-accused Vijay Rajak. Petitioner is in custody since 16.03.2025.
5. Regards being had to the submissions made by the parties and taking into consideration the period of custody and the fact that petitioner has been made accused on the basis of confessional statement of the arrested co-accused namely Vijay Rajak, I am inclined to grant regular bail to the petitioner.



- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Exclusive Special Court Excise Judge-I, Begusarai in connection to the Naokothi Police Station Case No. 09 of 2025
- 8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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