

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27546 of 2025

Arising Out of PS. Case No.-268 Year-2021 Thana- BAISI District- Purnia

Rahul Kumar @ Sunil Mahtoo @ Rahul Mahtoo @ Rhul Kumar @ Rahul Patel S/o Sukhdev Mahto R/o vill - Ramauli, ward no. 9, Pahasara, Bahangama, P.S.- Nawkothi, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swati Parmar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned

A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baisi P.S. Case No. 268/2021 dated 10.03.23021 registered for the offences punishable u/s 30(a), 41 and 47 of the Bihar Prohibition and Excise Act and Sections 272, 273, 467, 468 and 420 of the Indian Penal Code.

3. As per the prosecution case, total 1778.400 litres of illicit foreign liquor was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. As per para. 10 and 11 of the bail petition, the petitioner is neither the owner nor the driver of the said vehicle. The co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 18.02.2022 passed in Cr. Misc. No. 68015 of 2021. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.02.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Purnia in connection with Baisi P.S. Case No. 268/2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

