

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31806 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- Excise P.S. District- Buxar

Rahul Kumar S/o- Umesh Rai @ Umesh Ray Resident of village- Malikpur
PS- Raghapur District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. Buxar Case No. 131 of 2025 instituted for the offences under Section 30 (a) of the Bihar Prohibition and Excise Act and Sections 3(5) and 61(2) of Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 777.6 liters liquor was recovered from Bolero Pick-up. The petitioner was arrested on spot.

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 further submitted that the petitioner is driver of the pick-up vehicle in question. The petitioner had no knowledge regarding the nature of goods kept in vehicle by the owner. The petitioner is in custody since 01.04.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 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 P.S. Buxar Case No. 131 of 2025.

(Rudra Prakash Mishra, J)

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