

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32219 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- CHANDAUTI District- Gaya

Rahul Kumar, aged about 30 years, (Male), S/o Chandan Sao, R/o Mohalla-
Barki Delha, Dularganj Road, P.S.- Delha, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shailesh Kumar, Advocate

For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

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

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chandauti P.S. Case No. 118 of 2025 dated 28.03.2025
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 62.813 litres of
foreign liquor was recovered from the straw-house of the co-
accused Azad Kumar who disclosed the name of the petitioner
as supplier of the liquor.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. The petitioner was not arrested on the spot. His



name has surfaced in the present case on the basis of the confessional statement of the co-accused Azad Kumar which has got no evidentiary value in the eyes of law. The petitioner is neither the owner of the straw house where from illegal liquor was recovered nor he has any connection with the illegal liquor. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. The other co-accused person, namely, Azad Kumar, has already been granted bail by a Bench of this Court in Cr. Misc. No. 29329 of 2025 vide order dated 06.05.2025. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 03.04.2025.

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 A.D.J.-cum-Exclusive Excise Court No. 4, Gaya, in connection with Chandauti P.S. Case No. 118 of 2025.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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