

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34625 of 2025

Arising Out of PS. Case No.-416 Year-2025 Thana- Excise P.S. District- Aurangabad

Rahul Kumar Singh S/o Rajeshwar Kumar Singh R/o Village- Gapha Khurd,
P.S.- Bodh Gaya, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with GR No. 754 of 2025, arising out of Excise PS Case No. 416 of 2025 instituted for the offences under Sections 30(a), 32(3), 41(1) & 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 240 liters spirit was recovered from Alto car.

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 submitted



that name of the petitioner has surfaced in this case as being owner of the motorcycle in question. The petitioner has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 17-06-2025, passed in Cr. Misc. No. 37475 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with GR No. 754 of 2025, arising out of Excise PS Case No. 416 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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