

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39809 of 2025

Arising Out of PS. Case No.-415 Year-2024 Thana- Excise P.S. District- Gopalganj

Rakesh Kumar Singh S/o Dineshwar Singh R/o Mohalla- Bara Pather Ward
No. 14, P.S.- Samastipur Town , District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2 The petitioner apprehends his arrest in connection
with Excise PS Case No. 415 of 2024 instituted for the offences
under Sections 30(a) & 32 of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. The prosecution case, in short, is that total 293.76
litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case as being owner
of the car in question. Learned counsel for the petitioner,
therefore, contends that *prima-facie* no case is made out against



the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 10-07-2024, passed in Cr. Misc. No. 48114 of 2024.

5. Learned APP 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, let the petitioner above named, in the event of arrest/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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 415 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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