

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39082 of 2025

Arising Out of PS. Case No.-122 Year-2020 Thana- NADI P.S. District- Patna

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Akhilesh Kumar @ Akhilesh Rai @ Akhilesh Singh S/o Inder Rai @ Indradev
Gop R/O Village -Fatehjangpur, Police Station- Nadi, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2025 Heard Mr.Bishwajeet Singh, learned counsel for the
petitioner and Ms.Rina Sinha, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
18.04.2025 in connection with Spl.Case No.459501/2020
corresponding to Nadi P.S. Case No. 122 of 2020, F.I.R. dated
30.07.2020 registered for the offence punishable under Section
30(a) of Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 1860 liters of country made liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner is in custody since 18.04.2025 and he
has falsely been implicated in the present case. The allegation as
alleged in the FIR is false and fabricated and the petitioner has
not committed any offence as alleged in the FIR. As per
allegation in the FIR, the name of the petitioner was found in



the Register which was recovered from the Boat in question and it appears from the FIR that altogether 1860 liters of country made liquor was recovered from the Boat in question. Learned counsel for the petitioner submits that petitioner has no concern at all with the alleged recovery of illicit liquor or the Boat in question and co-accused persons, namely, Sanjay Rai, Birendra Ray, Dharmendra Ray, Uday Rai and Jamun Sahni have been granted anticipatory bail or regular bail by a Coordinate Bench of this Hon'ble Court or by this Court vide Cr. Misc. No.04/25, Cr.Misc.No.24541/22, Cr. Misc. No.24131/22, Cr.Misc.No.70121/21 and Cr.Misc.No.33966/21 respectively and the petitioner is in custody since 18.04.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, except the name of the petitioner figured in the Register, which was recovered from the Boat in question, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and similarly situated



co-accused persons have been granted anticipatory bail or regular bail by a Coordinate Bench of this Hon'ble Court or by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City/ Successor Court in connection with Spl.Case No.459501/2020 corresponding to Nadi P.S. Case No. 122 of 2020, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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