

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41086 of 2025

Arising Out of PS. Case No.-328 Year-2025 Thana- Excise P.S. District- Siwan

Rakesh Kumar Son of Krishna Ram Singh R/O Vill- Rampur Horil, P.S.-
Belsar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan
Excise PS Case No. 328 of 2025 instituted for the offences
under Section/s 30(a) & 32(3) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 479.360 liters
foreign liquor was recovered from a 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 petitioner is not the owner of the car and he was taken car from his relative and he was unaware about the illicit liquor loaded in the car. The petitioner is in custody since 15-05-2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been enlarged on bail by this Court vide order dated 19-06-2025, passed in Cr. Misc. No. 38571 of 2025.

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 Siwan Excise PS Case No. 328 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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