

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42315 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- Excise P.S. District- Samastipur

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Rahul Kumar @ Rahul Yadav S/O Ramashray Roy @ Ramashray Yadav R/O
ward no. 19, Jitwarpur Nizamat, P.S.- Muffasil, Dist.- Samastipur- 848134

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

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

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

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Samastipur Sadar PS Case No. 62 of 2025 instituted for the
offences under Section/s 30(a) of the Bihar Prohibition and
Excise Act. Earlier vide order dated 02-05-2025, passed in Cr.
Misc. No. 24580 of 2025, anticipatory bail of the petitioner was
rejected.

3. The prosecution case, in short, is that 1147.095
liters foreign liquor was recovered from hut.

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 on the disclosure made by local villagers. Petitioner is not the owner of the hut. The petitioner is in custody since 24-05-2025 and has got three criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 Samastipur Sadar PS Case No. 62 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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