

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42269 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rahul Kumar @ Rahul Yadav S/O Ramashray Ray @ Ramashry Yadav R/o
Village- Jitwarpur Nizamat, Ward No. 19, P.S.- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, 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 Samastipur
(Mufassil) P.S. case No. 134 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 20.250
liters liquor was recovered from the field of the petitioner.

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 further submitted that the maize field in question does not belong to the petitioner rather the same is an open place accessible to one and all. The petitioner is in custody since 17.05.2025 and has got three criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 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 (Mufassil) P.S. case No. 134 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)

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