

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52614 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Rakesh Kumar @ Rocky S/o- Pawan Raj @ Pawan Rai Resident of Aataruwa,
Maahedpur, Ward No.1, P.S. - Bhagwanpur, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Resident of Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Sahayak Khajanchi PS Case No. 182 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 total

258.80 litres of foreign liquor was recovered from Bus

bearing Regd No. BR43PA-9425.

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 neither the owner nor the driver of the seized vehicle. It is further submitted that petitioner is sitting as a passenger in the vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 20.05.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Similarly situated other co-accused has been granted regular bail by this Court vide order dated 28.07.2025 passed in Cr. Misc. No. 48313 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, clean antecedent of the petitioner 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 Sahayak
Khajanchi PS Case No. 182 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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