

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60279 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- DARPA District- East Champaran

Rupesh Kumar Son of Rajeshwar Sharma R/o Village- Tinkoni, P.S.- Darpa,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Darpa P.S. Case No.152 of 2025 instituted under Sections 274,
275, 3(5) of B.N.S., 2023 and Section 30(a) of Bihar Prohibition
and Excise Act.

3. As per the prosecution case, there is recovery of
43.500 litre illicit Nepali liquor kept in jute sack from the house
of petitioner who try to flee away from the spot but was
apprehended on chase.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
He further submits that the alleged recovery of liquor has been
made from the joint family property of petitioner and he was not
aware about the fact that the seized liquor was kept in the place
of recovery. Learned counsel submits that no incriminating



article has been recovered from the conscious possession of petitioner. He further submits that petitioner has no concern with the alleged seized liquor. Learned counsel submits that there is no independent witness to the seizure list. He further submits that petitioner is in custody since 15.06.2025, having clean antecedent and charge sheet had already been submitted in this case after completion of investigation. Learned counsel submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran, Motihari in connection with Darpa P.S. Case No.152 of 2025.

(Sunil Dutta Mishra, J)

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