

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60930 of 2025

Arising Out of PS. Case No.-505 Year-2024 Thana- HARNAUT District- Nalanda

Rahul Singh @ Rahul Kumar Singh, aged about 29 years (Male), S/O Ratnesh Singh @ Ratnesh Kr. Singh, Resident of Mohalla- Madhopur Nijama, P.S.- Mahua, Dist.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the Opposite Party : Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Harnaut (Chero) P.S. Case No. 505 of 2024 dated 25.12.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 3231 litres of foreign liquor was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Sitaram Paswan



who is the driver of the said truck which has got no evidentiary value in the eyes of law. It is further submitted that the petitioner is neither the owner nor the driver of the seized truck. The petitioner has also no connection with the seized illegal liquor which has been recovered from the truck. The petitioner has no concern with the alleged offence as well as the arrested co-accused person Sitaram Paswan. No incriminating article has been recovered from the possession of the petitioner. There is no statutory compliance of Sections 103 and 105 of the B.N.S.S., 2023. It is further submitted that the other co-accused person, namely, Sitaram Paswan has already been granted bail by a Bench of this Court in Cr. Misc. No. 14409 of 2025 vide order dated 27.03.2025, annexed as Annexure-2 to the present bail application. The petitioner has eighteen (18) criminal antecedents and in all the cases he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 10.07.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-V-cum-Special Judge, Excise-I, Bihar Sharif (Nalanda) in connection with Harnaut (Chero) P.S. Case No. 505 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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