

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68680 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- HATHAURI District- Muzaffarpur

Rakesh Kumar Aged 35 Years S/o Ram Kumar Rai @ Ram Karan Rai R/o -
Korlahiya Hari Narayan, P.S - Mahindwara, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Hathauri P.S Case No. 124 of 2025 registered for the offences
punishable under Sections 30(a), 30(b), 30(c) of Bihar
Prohibition and Excise Act.

3. As per allegation in the FIR, there is a recovery of
87.375 litre of English Wine, 50 litres of Spirit, 384 empty
bottles, caps wrappers and 2 Alcohol meters were found.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has nothing to do with the alleged liquor
which was recovered. Petitioner is the owner of goat farm and



the land does not belongs to the petitioner from where the alleged recovery was made. He further submits that petitioner is in custody since 29.07.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and 19.08.2025, it appears that the alleged recovery was not made from the conscious possession of the petitioner nor the land belongs to the petitioner from where the illicit liquor was recovered and petitioner possesses clean antecedent. Moreover, there is no independent witness to the seizure list. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named 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 learned Exclusive special Excise Court No. 3, Muzaffarpur in connection with Hathauri P.S Case No. 124 of 2025.

(Ramesh Chand Malviya, J)

Sunnykr/-

U			
---	--	--	--

