

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70529 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- HATHIDAH District- Patna

Rahul Kumar S/O Bijay Kumar @ Vijay Kumar Resident of Village-
Budhramchak, Pavery, P.S.- Dhanaraua, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hathidah P.S. Case No. 52 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., recovery of total 2,568 litres of illicit liquor has been made from a vehicle bearing Reg. No. BR01GM7961 which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He is not related with the other co-accused person



and no any incriminating article has been recovered from his conscious possession. From perusal of seizure list, it is apparent that liquor has been recovered from the seized vehicle which was being driven by co-accused namely, Laxman Kumar. Petitioner is neither the owner nor the driver of the vehicle in question. The name of this petitioner has surfaced in this case only on the basis of confessional statement of apprehended co-accused made before the police. It is also submitted that prosecution version is not supported by any independent witnesses, and the provisions of Section 103 of the BNSS has not been complied with. Petitioner is in custody since 11.08.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, 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 Judge Excise, Barh, Patna in connection with Hathidah P.S. Case No. 52 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial



on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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