

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74284 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- ATHMALGOLA District- Patna

Rahul Kumar S/o Padarath Rai @ Ram Padarth Ray R/o Village - Dalli Rai
Ke Tola, P.S - Athmalgola, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Advocate

For the Opposite Party/s : Mrs. Asha Devi, APP

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Athmalgola PS Case No. 207 of 2025 instituted for the offences
under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 38.5 liters
country made liquor was recovered from the house of the co-
accused person.

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 recovery is made from the house of co-accused person on whose disclosure the name of the petitioner has surfaced in this case. The petitioner is in custody since 12.08.2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Athmalgola PS Case No. 207 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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