

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75550 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- CHANDI District- Bhojpur

Rahul Kumar Son of Somaru Yadav R/o Khangaon, P.S. - Chandi, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Chandi P.S. Case No. 142 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 150 liters of illicit country-made liquor from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further



submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the same has been recovered from the bank of Sone river from motorcycle accessible to one and all. The petitioner has no concern with the seized liquor. The petitioner is not the owner of the alleged motorcycle rather the owner is one Vikash Kumar who fled away from the place of occurrence. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent,



let the petitioner, abovenamed, be released on bail on
furnishing bail bonds of Rs.15,000/- (Rupees Fifteen
Thousand) with two sureties of the like amount each to the
satisfaction of Court below/concerned Court in connection
with Chandi P.S. Case No. 142 of 2025.

(Rudra Prakash Mishra, J)

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