

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82701 of 2025

Arising Out of PS. Case No.-993 Year-2025 Thana- MAHUA District- Vaishali

Rahul Kumar Son of Mohan Ray Resident of Village- Litiyahi, P.S.-
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Sweety Sinha, Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, A.P.P.

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

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 993 of 2025, instituted for the offences punishable
under Sections 274 and 275 of the Bharatiya Nyaya Sanhita,
2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1360 liters of
country made liquor was recovered from Tata Magic. Petitioner
was arrested on the spot.

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. The petitioner



was neither owner nor driver of the vehicle and the said recovery has been planted for extraneous consideration. The petitioner is in custody since 07.10.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua P.S. Case No. 993 of 2025.

(Rudra Prakash Mishra, J)

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