

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88212 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- EAST CHAMPARAN GRP CASE
District- East Champaran

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Rupesh Kumar Son of Lalan Sah Resident of Village- Deopria, P.S.- Deoria,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rail
Motihari (Motihari GRPS) P.S. Case No. 72 of 2024 instituted
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. The prosecution case, in short, is that total 30 liters
of English wine has been recovered from the backpack of the
petitioner as well as one another co-accused namely Mukesh
Kumar.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. Nothing incriminating has been



recovered from the conscious possession of the petitioner rather the bags from which the alleged recovery of English wine has been made were lying on the platform. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 11.11.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rail Motihari (Motihari GRPS) P.S. Case No. 72 of 2024.

(Rudra Prakash Mishra, J)

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