

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90131 of 2024

Arising Out of PS. Case No.-519 Year-2024 Thana- BATHNAHA District- Sitamarhi

Rahul Kumar Son of Rajindra Mahto @ Rajendra Singh Resident of Village -
Jabdi, Loharpatti, Ward No.1, P.S. - Parihar, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bathnaha PS Case No. 519 of 2024 instituted for the offences
under Sections 317(5), 3(5) of the B.N.S and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 387
litres of Nepali liquor was recovered from Car and motorcycle.

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 the name of the petitioner has transpired as being owner of



the seized car. He has no knowledge regarding the illicit liquor kept in the car. The petitioner is in custody since 13.11.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* order dated 09.01.2025 in Cr. Misc No. 89263 of 2024.

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.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bathnaha PS Case No. 519 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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