

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 1331 of 2025

Arising Out of PS. Case No.-406 Year-2024 Thana- AMAUR District- Purnia

Rahul Kumar Son of Raj Kumar Sah Resident of Baluganj Machhatta, P.S.-
Amour, District – Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Amour P.S. Case
No. 406 of 2024, registered for the offences punishable under
Sections 317(5) and 3(5) of the Bhartiya Nyay Sanhita, 2023
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 17.13 litres of IMFL/country made
liquor from the alleged motorcycle.



4. Learned counsel appearing on behalf of the petitioner submitted that the name of this petitioner transpires out of disclosure of apprehended co-accused, namely, Rahul Kumar, son of Vinay Kumar Singh, in furtherance of which, no illicit liquor recovered from physical possession of this petitioner. It is submitted that save and except suspicion arising out of aforesaid disclosure, nothing survives against this petitioner. Petitioner said to be a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as *prima facie* recovery of illicit liquor not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No. 2,



Purnea/concerned Court, where the case is pending in connection with Amour P.S. Case No. 406 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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