

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.805 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- GAYA RAIL P.S. District- Gaya

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Akhilesh Kumar Singh @ Akhilesh Kumar S/o- Rajdeo Yadav village- Puna
Kala P S-Paraiya District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

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

ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rail Gaya P.S. case No.
309 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 143.25 liters
liquor was recovered from three bags out of which 30 liters
liquor was recovered from petitioner's bag.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case merely on the basis of suspicion. 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 petitioner was standing at the place of occurrence and waiting for his train but the police with ulterior motive has falsely implicated the petitioner in the present case. It is further submitted that petitioner is not indulged in the business of illicit liquor. The petitioner is in custody since 05.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rail Gaya P.S. case No. 309 of 2024.

(Rudra Prakash Mishra, J)

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