

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37835 of 2026

Arising Out of PS. Case No.-108 Year-2025 Thana- AURAI District- Muzaffarpur

Rupesh Kumar @ Pauwa Son of Sakaldev Ray Resident of Village- Devkuli,
P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2026 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases under the Excise Act and is in custody since 20.04.2026 and allegation is of recovery of 405.36 litres of liquor from three different vehicles.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and is not the owner of any of the seized vehicles and he came to be implicated based on confessional statement of Raushan in police custody which does not have any evidentiary value. It is next submitted that



police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the period of custody, the petitioner, above-named, is directed to be released on regular bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Aurai P. S. Case No.108 of 2025.

7. The application stands allowed.

(Satyavrat Verma, J)

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