

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82385 of 2025

Arising Out of PS. Case No.-52 Year-2021 Thana- Excise P.S. District- Begusarai

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RUPESH KUMAR @ TENI S/o LATE ABHINANDAN SINGH R/o vill -
Harpur, P.S.- Barauni, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-01-2026 Heard the parties.

2. The petitioner seeks bail in connection with

Excise P.S. Case No. 52 of 2021 registered for the

offence under Sections 30(a) of the Bihar Prohibition and

Excise Act, 2018.

3. The petitioner is named in the F.I.R. and is in

custody since 31.10.2025.

4. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 2728 litres of IMFL/country

made liquor from two different places.

5. Learned counsel appearing on behalf of the



petitioner submitted that the name of this petitioner transpired in this case on the basis of information given by police spy and as admittedly he was not apprehended on the spot, which is sufficient to suggest that the alleged recovery was not made from the conscious physical possession of the petitioner. While concluding the argument, it has been submitted that petitioner involved in 6 more criminal cases, where he is on bail and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact, as recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, coupled with the fact that charge-sheet has been already submitted, accordingly petitioner above named, is directed to be released on bail in connection with Excise P.S. Case No. 52 of 2021 on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Begusarai /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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