

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40921 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- PARSAUNI District- Sitamarhi

Pratik Ojha @ Pratik Kumar Son Of Rahul Ojha, Resident Of Village-
Bhandari, P.S- Belsand, Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Parsauni P.S. Case No.- 30 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the informant on 21.02.2023 got secret information that the co-accused Vaibhav Kumar and the petitioner had stored illicit wine at Village- Mushahari, Ward No. 2, when the police reached there two persons tried to escape but police caught one of them and upon interrogation he disclosed the name of petitioner as the person who managed to escape. On search of the police recovered 256.800 litre of illicit liquor from the straw house and



motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is neither the owner of the motorcycle nor the owner of the husk house where the recoveries have been made.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner is neither the owner of the motorcycle nor the owner of the husk house where the recoveries have been made and further that he has no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Parsauni P.S. Case No.- 30 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Learned Special Judge, Exclusive Excise Court-II, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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