

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39791 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- SAHAJITPUR District- Saran

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Law Kumar Singh Son Of Late Rameshwaram Singh, Resident of Village -
Maricha, Jharkhand More, P.S. - Sahajitpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard learned counsel for the parties.

2. The petitioner seeks pre-arrest bail in connection with Sahajitpur P.S.Case No.34 of 2023, registered for the offences punishable under Sections 272, 273, 420 of the Indian Penal Code and Section 30(a)/32(i)(ii)(iii)/33/38 and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016 (Amended Act, 2018).

3. As per the allegation made in the FIR, the petitioner and other accused persons were preparing to sale country-made liquor and total 544.94 ltrs. country-made liquor were recovered from the premises of co-accused Ashok Singh .

4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is named in the FIR. He



further submits that the petitioner is not involved in the business of sale-purchase of the liquor or its smuggling. Petitioner has criminal antecedent of three cases but he is on bail in all those cases.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the nature of allegation made in the FIR as well as the fact that the liquor was recovered from the premises of one co-accused Ashok Singh, petitioner is having criminal antecedent of three cases registered under the Excise Act but he is on bail in all those cases. Learned counsel further undertakes that in future the petitioner will not be involved in the crime under Excise Act.

Taking into consideration that the petitioner has undertaken not to commit crime under Excise Act in future, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-10, Excise, Saran at Chapra in connection with Sahajitpur P.S.Case No.34 of 2023, subject to the conditions as



laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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