

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40219 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- NAUTAN District- West Champaran

ARUN KUMAR @ ARUN PATEL Son of Suresh Patel R/o vill.- Banhaura
Bazar, P.S.- Jagdishpur, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv,
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Dhannjay Kumar No 2, learned counsel
appearing on behalf of the petitioner and Mr. Suresh Prasad
Singh, learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Nautan P.S. Case No. 90 of 2023, dated 11.03.2023,
registered under Sections 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per allegation made in the F.I.R., during search
of vehicle merely 28 litres of Indian wine was recovered.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been roped in the
present case only on the basis that he being identified by the
Chowkidar. However, petitioner was not involved in any manner
in selling and purchasing of liquor. The petitioner has clean
antecedent.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the total quantity of wine recovered from the vehicle of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned 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 Exclusive Special Judge Excise, Bettiah, West Champaran in connection with Nautan P.S. Case No. 90 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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