

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47180 of 2023**

Arising Out of PS. Case No.-14 Year-2023 Thana- KUTUMBA District- Aurangabad

Pintu Kumar Son of Ramjanm Paswan, Resident Of Village - Maigra Post  
Bara, P.S. - Nabinagar (Maigara), Distt. - Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      11-08-2023                      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 Kutumba P.S. Case No.- 14 of 2023 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner is the owner of seized motorcycle bearing Registration No. JH10BE9073 from which 50 liters of desi liquor has been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered



from conscious possession of the petitioner.

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 had given his motorcycle to a friend on the ground of medical emergency, no recovery of liquor has been made from his conscious possession and he has otherwise 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 Kutumba P.S. Case No.- 14 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 Spl. Judge Excise Court No. 1, Aurangabad, 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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