

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47144 of 2023

Arising Out of PS. Case No.-270 Year-2023 Thana- NAVINAGAR District- Aurangabad

1. BADAL SINGH @ BADAL KUMAR SON OF VIVEK SINGH
RESIDENT OF VILLAGE- KUSHA, PS- NABINAGAR, DIST-
AURANGABAD (BIHAR)
2. VIVEK SINGH SON OF UPENDRA SINGH RESIDENT OF VILLAGE-
KUSHA, PS- NABINAGAR, DIST- AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate.
For the Opposite Party/s : Mr.Nand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard Mr. Aman Vishal, learned counsel appearing on
behalf of the petitioners and Mr. Nand Kumar, learned APP for
the State.

2. The petitioners seek pre-arrest bail in connection
with Nabinagar P.S. Case No. 270 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 34.560 litres of country
made liquor from an open field. Petitioners are named in the
F.I.R.

4. Learned counsel appearing on behalf of the
petitioners submitted that the petitioners are innocent and they



have falsely been implicated in the case. The alleged recovery of liquor has been made from an open field and the said field does not belong to the petitioner and is easily accessible to anyone. Petitioner has clean antecedent and to that effect specific statement has been made in Para-3 of the bail application.

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

6. Considering the nature of allegation against the petitioners and the fact that the alleged recovery is from an open field, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, Aurangabad in connection with Nabinagar P.S. Case No. 270 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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