

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.62876 of 2023

Arising Out of PS. Case No.-477 Year-2023 Thana- CHANPATIA District- West Champaran

Dhanwat Kumar @ Dhanwant Kumar @ Billu @ Bablu, aged about 25 years,
Male, son of Brijesh Shah, R/O Village- Samri Tola, W.No-1, P.S.-
Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Bimlesh Kumar Pandey, learned counsel
appearing on behalf of the petitioner and Mr. Veena Kumari
Jaiswal, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chanpatiya P.S. Case No. 477 of 2023 registered for the
offence punishable under Sections 30(a) and 45 of the Bihar
Prohibition and Excise Act as amended up-to-date.

3. Altogether 41.02 litres of Indian made foreign
liquor was recovered from one Deepak Kumar Jaiswal, who has
taken the name of the petitioner in police custody.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and, due to



enmity, the said co-accused has named the petitioner with whom the petitioner has no relationship and in this regard he has made a specific statement in paragraph no. 9 to the bail application. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation made against the petitioner in the FIR and petitioner has clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 477 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending



**against the petitioner as what has been stated in paragraph
no. 3, this order will loose its force automatically.**

(Purnendu Singh, J)

Niraj/-

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