

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64468 of 2023

Arising Out of PS. Case No.-480 Year-2023 Thana- BIHPUR District- Bhagalpur

Pappu Das, aged about:-40(M) years, Son of Parmanand Das, resident of
Village- Belha, P/S:- Bhawanipur O.P., Dist: Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Rajive Ranjan Singh, learned counsel
appearing on behalf of the petitioner and Mr. Suresh Prasad
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bihpur (Bhawanipur OP) P.S. Case No. 480 of 2023
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 5.600 litres of country
made liquor from a bush in front of the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is not involved in either manufacturing or in trade of illicit liquor. 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, nothing has been recovered from the conscious possession of the petitioner 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 Additional Sessions Judge IXth, Bhagalpur in connection with Bihpur (Bhawanipur OP) P.S. Case No. 480 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)

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