

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64588 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- SANDESH District- Bhojpur

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RAM KUMAR, Male, aged about 26 years, Son of Sri Mushar, R/o vill -
Bartiyear, P.S. - Sandesh, Dist. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, II, Advocate Mr. Raju Kumar Singh, Advocate Mrs. Priyanka Kumari, Advocate Mrs. Ajnana Gupta, Advocate Mrs. Kumari Rupa, Advocate
For the Opposite Party/s :		Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard learned counsel for the parties.

2. The petitioner seeks pre-arrest bail in connection with Sandesh P.S. Case No. 171 of 2023 dated 02.07.2023 registered for the offence(s) punishable under Section 30(A) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 15 litres of country made illicit liquor was recovered from the hay straw, which is a common place.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has been falsely implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious



possession of the petitioner. It is lastly submitted that the petitioner has clean antecedent.

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

6. Considering the nature of allegation and also the facts that petitioner has clean antecedent and recovery of illicit liquor has not been made from the conscious possession of the petitioner, 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.II, Bhojpur at Ara in connection with Sandesh P.S. Case No. 171 of 2023, subject to the conditions 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 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 lose its force.

(Purnendu Singh, J)

Sanjay/-

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