

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64592 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- KALYANPUR District- Samastipur

MUKESH KUMAR SON OF ASHOK KUMAR SINGH RESIDENT OF
VILLAGE - MADHURAPUR TARA, POLICE STATION - KALYANPUR,
DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate.

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Ranjan Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Md. Iftexhar Mahmood,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kalyanpur P.S. Case No. 195 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 806.85 litres of Indian
Made Foreign Liquor from the possession of co-accused Pankaj
Kumar Singh. Name of the petitioner has surfaced on the basis
of information given by the local people who were present at the
place of occurrence.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has clean antecedent and he
is neither involved in smuggling, manufacturing or trade of



illicit liquor which is prohibited in the State of Bihar.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and involvement of the petitioner cannot be ruled out from the illicit trade of liquor.

6. Considering the rival submissions as well as the fact that the recovery was made from one Pankaj Kumar Singh and the petitioner is directed to file his undertaking before the court below at the time of filing of the bail bond that in future he will not involve in trade of liquor, court below is directed to release the petitioner 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Samastipur in connection with Kalyanpur P.S. Case No. 195 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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