

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70327 of 2023

Arising Out of PS. Case No.-168 Year-2023 Thana- THALI District- Nawada

1. Munna Ram Son Of Puna Ram Village- Karpuri Nagar Ps-Thali Dist- Nawada.
2. Yogendra Ram S/O- Chamari Ram Village- Karpuri Nagar Ps-Thali Dist- Nawada.
3. Suresh Ram Son Of Ramdhani Ram Village- Karpuri Nagar Ps-Thali Dist- Nawada.
4. Sunil Ram S/O- Indradev Ram Village- Karpuri Nagar Ps-Thali Dist- Nawada.
5. Ranjit Ram S/O- Biro Ram Village- Karpuri Nagar Ps-Thali Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 01-11-2023 Heard Mr. Birendra Kumar, 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 Thali P.S Case No. 168 of 2023 dated 20.07.2023 registered for the offence punishable under Section 30 (a), 30(d) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 20 litres country made liquor from nearby bush of one wine furnace.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have

no concern with the alleged seized liquor. Petitioners have clean antecedent.

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

6. Considering the nature of allegation made in the FIR against the petitioners, as well as, the fact that petitioners have no concern with the 20 litres country made liquor recovered from nearby bush of one wine furnace, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-Ist, Nawada, in connection with Thali P.S Case No. 168 of 2023 dated 20.07.2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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