

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71373 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- Excise P.S. District- Rohtas

RAJA KUMAR, aged about 25 years, Male, SON OF RAJESH SINGH @
RAJESH KUMAR RESIDENT OF MOHALLA- RAJPUTANA MOHALLA,
DEHRI, POLICE STATION- DEHRI, DISTRICT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-11-2023 Heard Mr. Raghunandan Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Md. Nazir
Ansari, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise Case No.773 of 2023 dated 05.06.2023 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, 15.375
litres of illicit foreign liquor was recovered allegedly from the
rented house of the petitioner.

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 further submitted that the said house from where the illicit liquor was recovered belongs to one Surendra Kumar Singh and petitioner has no concern with the alleged seized liquor. 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 fact 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 Exclusive Special Excise Judge, Court No.1, Rohtas at Sasaram in connection with Excise Case No.773 of 2023, arising out of Excise P.S. F.I.R. No.333 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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