

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75423 of 2023

Arising Out of PS. Case No.-279 Year-2023 Thana- CHAKIA District- East Champaran

1. Chunnu Kumar @ Arvind Kumar Son of Manager Sah
 2. Manager Sah Son of Sukdeo Sah
- Both are R/O vill - Barmadiya, P.S. - Chakia, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Binay Kumar, learned counsel appearing on behalf of the petitioners and Mr. Parmanand Kumar, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with Chakia P.S.Case No.279 of 2023, registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise (Amendment) Act, 2022.

3. Prosecution story in short is that the police seized 23.1 ltrs. of english wine from a hut erected in the *Gachhabani*.

4. Learned counsel appearing on behalf of the petitioners submits that the said hut is far from the village and it does not belong to the petitioners. Petitioners have clean antecedent.



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

6. Having considered the rival submissions made on behalf of the parties and considering the nature of allegation of recovery of 23.1 ltr. of english wine, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise court No.1, East Champaran, Motihari in connection with Chakia P.S.Case No.279 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are 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)

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