

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37485 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- MORKAHI District- Khagaria

1. Rambok Kewat S/O Parmeshwar Kewat Resident of Village-Soharwa P.S. Morkahi (Amausi) District Khagaria Bihar
2. Anita Devi @ Kiran Devi Wife of Rambol Kewat R/O Village- Soharwa, P.S.- Mokahi (Amausi), District- Khagaria, Bihar

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Morkahi P.S. Case No.29 of 2024 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 5 ltr. country-made liquor was recovered from Baranda of the house of the petitioners, kept in a wooden almira.

4. Learned counsel appearing on behalf of the petitioners submitted that the alleged recovery of liquor was made from Baranda of the house, which is an open place and it is easily accessible to anyone. Learned counsel further submitted that neither the petitioners are involved in the business of the liquor nor they have concern with the said seized



liquor.

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, as well as, considering the nature of allegation made in the FIR, the petitioners 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 learned Exclusive Special Excise- Ist, Khagaria/concerned court in connection with Morkahi P.S. Case No.29 of 2024, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The 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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