

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37228 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- GHORASAHAN District- East
Champaran

Nitish Kumar, aged about 20 years (M), son of Ravindra Prasad, resident of
Village- Kharsalwa, P.S.- Jharokhar, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Abhishek Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ghorasahan (Jharokhar) P.S. Case No. 176 of 2024
registered for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 7.8 litres of Nepalese
liquor and 15 litres of foreign liquor from a motorcycle bearing



Registration No. BR05AV8645.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in the case. Petitioner has no concern either with the seized liquor or with the motorcycle from which the illicit liquor was recovered. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation against the petitioner, 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-3, Motihari, East Champaran, in connection with Ghorasahan (Jharokhar) P.S. Case No. 176 of 2024, subject to the condition 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 petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending



**against the petitioner as what has been stated in paragraph
no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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