

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49589 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- TILAUTHU District- Rohtas

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Purnavasi Kumar Rajbanshi @ Purnavasi Rajwar, Son of Bahadur Rajwar,
R/O Vill.- Shivpur, Bhadokhara, P.S.-Tilauthu, Dist.- Rohtas... .. Petitioner/s
Versus

The State Of Bihar Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-10-2024 Heard Mr. Sanjay Kumar Tiwary, 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 Tilauthu P.S. Case No. 140 of 2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2022.

3. The allegation is of recovery of 20 liters of illicit
liquor from two plastic sacks, allegedly thrown by the accused
persons.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the present case. He has no concern either
with the seized liquor or trade of liquor in any manner. Learned
counsel further submits that alleged recovery of the illicit liquor
has been made from roadside, which is accessible to anyone.
The name of the petitioner has transpired in the present case



only on the ground that he is the owner of the seized motorcycle. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that name of the petitioner has transpired in the present case only on the ground that he is the owner of the seized motorcycle, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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-cum-Additional District and Sessions Judge, Excise Court No.2, Rohtas at Sasaram in connection with Tilauthu P.S. Case No. 140 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court 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 Para-3 of the bail petition, this order will
automatically lose its force.

(Purnendu Singh, J.)

Chn/-
Ashishsingh/-

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