

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51125 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Uma Shankar Chaudhary, Male, aged about 52 years, Son of Kisun Chaudhary, Resident of Vill- Ajayabganj, P.S.- Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tejpratap Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 21-08-2024 Heard Mr. Tejpratap Singh, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bhagwan Bazar P.S. Case No. 161/2024 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 litres of illicit country made liquor and 2.7 litres of foreign liquor were recovered from a bag, which is said to be allegedly thrown by the petitioner after seeing the police party.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that the alleged recovery of illicit liquor has been made from a public place, which is easily accessible by anyone. Petitioner has clean antecedent.

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

6. 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 161/2024, subject to the conditions 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 paragraph no.3 of the bail application, this order will



automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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