

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.48966 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- SAMASTIPUR District- Samastipur

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Sudhir Kumar, Male, aged about 47 years, Son of Ram Chandra Sharma
Resident of Village - Rampur Ratnakar, P.S.- Sarai, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-08-2024 Heard Mr. Rajesh Kumar, learned counsel appearing

on behalf of the petitioner and Dr. Kumar Uday Pratap, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Samastipur Town P.S. Case No. 100 of 2024 registered for
the offence(s) punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act

3. As per the allegation made in the FIR, 760 ml. of
illicit liquor was recovered from a car, belonging to the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has been



implicated in the present case, being the owner of the said car from which recovery of illicit liquor was allegedly made. He further submitted that one neighbour of the petitioner has taken his car for a day to participate in a marriage ceremony and petitioner had no idea that he would carry liquor in his car, and as such, he has no concern with the alleged seized liquor. 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 Exclusive Special Judge, Excise 1st, Samastipur in connection with Samastipur Town P.S. Case No. 100 of 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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