

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51172 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- SARAIYA District- Muzaffarpur

Rajiv Ranjan Kumar @ Rajiv Ranjan Chaudhary, Male, aged about 42 years,
SON OF Lalit Narayan Choudhari, resident of Village- Bhatouliya Police
Station -Saraiya District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Sanjay Kumar S.K., learned counsel
appearing on behalf of the petitioner and Mr. Shahabuddin
Azeem @ S. Azeem, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Saraiya P.S. Case No. 243/24 registered for the offence(s)
punishable under Sections 272, 273/34 of IPC and Sections
30(a)/36/41(1)/41(2) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 711 litres of
illicit liquor was recovered from an orchard.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case only on the basis of
suspicion. He further submitted that the alleged recovery of



illicit liquor has been made from an orchard, which is easily accessible by anyone and petitioner 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. Considering the nature of allegation made in the FIR and also the fact that alleged recovery of illicit liquor has been made from an orchard, which is easily accessible by any one and petitioner has also clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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 Court No.-II, Muzaffarpur in connection with Saraiya P.S. Case No. 243/24, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. 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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