

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48965 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- KARAKAT District- Rohtas

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1. Arun Paswan, (Male), aged about 30 years, son of Rameshwar Paswan @ Ram Ishwar Ram.
 2. Rameshwar Paswan @ Ram Ishwar Ram, (Male), aged about 50 years, son of Madheshwar Paswan @ Madheshwar Ram.
Both resident of Village - Sakla Bazar, P.S. - Karakat, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Shashi Kant, learned counsel appearing on behalf of the petitioners and Mr. Akshay Lal Pandit, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Karakat P.S. Case No. 109 of 2024 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 49 litres of country-made liquor from the house of the petitioners.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioners have been falsely implicated in the case due to local village politics. Petitioners



have no concern with the seized liquor nor they are involved in trade of liquor in any manner. The place of recovery, which is *Baramda* of the house of the petitioners, is an open place which is accessible to anyone. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made in the FIR, as well as, the fact that petitioners have clean antecedent, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 1, Rohtas at Sasaram, in connection with Karakat P.S. Case



No. 109 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 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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