

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51161 of 2024

Arising Out of PS. Case No.-552 Year-2024 Thana- Excise P.S. District- Aurangabad

Raju Kumar (M), aged about 20 years, S/o Naresh Singh, R/o vill - More
Dihari, P.S. - Jamhore, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Ashok Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Mohammad
Sufyan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 552/24 registered for the offence(s)
punishable under Sections 30(a)/32(3) of the Bihar Prohibition
and Excise Act.

3. As per the allegation made in the FIR, 10 litres of
illicit liquor was recovered from a motorcycle, belonging to the
petitioner.

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 during investigation, petitioner has been made



accused being the owner of the said motorcycle. Admittedly, at the time of the alleged seizure and recovery of illicit liquor, petitioner was not present and the said motorcycle was being driven by co-accused Rahul Kumar who is brother-in-law of the petitioner and petitioner had no idea that that his brother-in-law and one other co-accused were carrying liquor on the said motorcycle. 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 Special Judge, Excise Court-II, Aurangabad in connection with Excise P.S. Case No. 552/24, 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)

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