

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51260 of 2024

Arising Out of PS. Case No.-303 Year-2022 Thana- LADANIA District- Madhubani

Vishnu Kumar Kamat @ Vishnu Dayal Kamat Son of Bacche Lal Kamat
Resident of village - Motnaje, P.S.- Ladaniya, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate.

For the Opposite Party/s : Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Manoj Kumar Pandey, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ladaniya P.S. Case No. 303 of 2022 registered for the
offence punishable under Sections 272, 273, 34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of 432 litres of Nepali
liquor from a bag lying near the Motnaje Border.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to village politics. He has no concern either with
the seized liquor or trade of liquor in any manner. The place of



recovery is an open place which is accessible to anyone. The petitioner has one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner 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 against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II cum Special Judge, Excise, Madhubani in connection with Ladaniya P.S. Case No. 303 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The 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 Para-
3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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