

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55727 of 2024**

Arising Out of PS. Case No.-126 Year-2024 Thana- BEERPUR District- Begusarai

Rajesh Mahton Son of Chalitar Mahto Village- Birpur, PS- Birpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      31-08-2024                      Heard Mr. Mukesh Kumar, learned counsel appearing on behalf of the petitioner and Mr.Dashrath Mehta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Birpur P.S.Case No.126 of 2024, registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the FIR, the police seized total 15 ltrs. of country-made liquor from the bushes situated near *Raghunath Das Thakurbari*.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and nothing has been recovered from his possession and the name of the petitioner has transpired only on the basis of confessional



statement of the co-accused Robin Kumar.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR, 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 Exclusive Special Excise Judge-I, Begusarai in connection with Birpur P.S.Case No.126 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 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)

durgesh/-

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