

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55992 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- SUPPI District- Sitamarhi

Sanjeev Kumar Singh @ Sanjeev Singh (male), aged about - 46 years, Son of Shatrudhan Singh, Resident of Village- Kansara, Police Station- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Divya Bharti, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2024 Heard Mr. Divya Bharti, learned counsel appearing on behalf of the petitioner and Ms. Indu Kumari Srivastava, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Suppi P.S. Case No. 95 of 2024 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether 117 litres of Nepali Saufi wine was recovered from a bamboo clump, which is alleged to have been smuggled by the petitioner along with four accused persons identified by the *Chaukidaar*.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated



in the case due to local village politics. Petitioner has no concern with the seized liquor nor he is involved in trade or smuggling of illicit liquor in any manner. The place of recovery is an open place which is accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks 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 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 fact that the recovery of 117 litres of Nepali Saufi wine from a bamboo clump, which is an open place and easily accessible to any one and petitioner has clean antecedent, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge Excise 1, Sitamarhi, in connection with Suppi P.S. Case No. 95 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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