

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59455 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- KOCHAS District- Rohtas

1. Praduman Sah @ Praduman Kumar, (Male), aged about 23 years, Son of Vijay Sah.
2. Shaila Devi, (Female), aged about 45 years, W/o Arun Sah
Both Resident of Village- Dhenutha, P.S.- Kochas, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-09-2024 Heard Mr. Chhote Lal Mishra, learned counsel

appearing on behalf of the petitioners and Mr. Narsingh Tanti,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kochas P.S. Case No. 126 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, in course of
raid, altogether 2.955 litres of Indian Made Foreign liquor of
different brands was recovered from the shop of petitioner no. 1
and 3.99 litres of Indian Made Foreign liquor of different brands
was recovered from the roof of the house of petitioner no. 2.



4. Learned counsel appearing on behalf of the petitioners 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. 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 petitioners cannot be ruled out from illicit trade of liquor.

6. Considering the allegation made against the petitioners in the FIR and total quantity of recovered liquor, 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 Excise Court No.2-
cum- Additional District & Sessions Judge, Rohtas at Sasaram,
in connection with Kochas 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 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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