

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59720 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- DAUDPUR District- Saran

Ramjee Chaudhary @ Ramjee Chaudhari Son of Ramadhar Chaudhari
Resident of Village- Siswa Khurd P.S. Daudpur District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raushan Raj, Advocate.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-09-2024 Heard Mr. Raushan Raj, learned counsel appearing on behalf of the petitioner and Mr. Satyendra Narayan Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Daudpur P.S. Case No. 136 of 2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 50 litres of illicit liquor from an agricultural field at village Siswa.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has committed no offence as alleged. The name of the petitioner has surfaced in the case on the disclosure made by the apprehended accused Upendra Kumar Yadav. 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 clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and admits that there is complete failure of prohibition in the State of Bihar.

6. Considering the nature of allegation made against the petitioner and the fact that the name of the petitioner has surfaced in the case on the disclosure made by apprehended co-accused due to enmity, 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 1st Exclusive Special Excise Judge, Saran at Chapra in connection with Daudpur P.S. Case No. 136 of 2024, 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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