

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80339 of 2024

Arising Out of PS. Case No.-951 Year-2024 Thana- Excise P.S. District- Aurangabad

Karmendra Kumar Singh @ Shanku Singh, aged about 40 years, Male, S/o Dwarika Singh, (wrongly mentioned in F.I.R. as Mukul Singh), R/o vill - Beri, P.S. - Salaiya, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-12-2024 Heard Mr. Aman Vishal, learned counsel appearing on behalf of the petitioner and Mr. Arvind Kumar Pandey, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Excise P.S. Case No. 951/2024 registered for the offence(s) punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the FIR, 10 litres of illicit liquor was recovered from the dickey of a motorcycle which was being driven by co-accused Sushil Kumar, who disclosed that the said liquor was given to him by one Shanku Singh (petitioner).



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value. Recovery of illicit liquor has been made from the dickey of the motorcycle and the co-accused Sushil Kumar has admitted that the said motorcycle belongs to him and as such, petitioner has no concern either with the seized liquor or motorcycle. Petitioner has clean antecedent.

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

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Second, Aurangabad (Bihar) in connection with Excise P.S. Case No. 951/2024, subject to the conditions 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)

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