

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1599 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Rahul Kumar @ Rahul Ray S/o - Binod Ray R/o Village- Bochaha P.S.
Mohiuddinnagar, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Abhay Shankar Singh, learned counsel

appearing on behalf of the petitioner and Ms. Renu Kumari,

learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Mohiuddinnagar P.S.Case No.303/2023, registered for the

offences punishable under Section 30(a) of the Bihar Prohibition

and Excise (Amendment) Act, 2022.

2 As per the allegation made in the FIR, 21.735 ltrs. of

foreign liquor was recovered from the husk.

3. Learned counsel appearing on behalf of the

petitioner submitted that the petitioner is innocent and he has

been falsely implicated in the case. He has no concern either

with the seized liquor or trade of liquor in any manner. Nothing

has been recovered from the conscious possession of the

petitioner.



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

5. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the place of recovery is an open place, which is accessible to anyone, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned 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 Special Judge (Excise)-02, Samastipur in connection with Mohiuddinnagar P.S.Case No.303 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

The court below 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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