

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1587 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

Prakash Kumar Paswan @ Prakash Paswan, Aged about 34 Years, Male, Son
of Ram Kishor Paswan @ Master Saheb, Resident of Village- Kasba Gumti,
Beladullah Ward No. 3, P.S. Lalit Narayan University, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Saurav Anand, learned counsel appearing
on behalf of the petitioner and Mr. Kumar Ranjit Ranjan,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with L.N.M.U. P.S. Case No. 340 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 333 liter of Nepali saufi
wine from sewerage of Ranipur road at Bela Dullah.

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. 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. 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 333 liter of Nepali saufi wine is from an open place which is accessible to any one and the petitioner has clean antecedent, 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 Exclusive Special Judge-II (Excise Act), Darbhanga, in connection with L.N.M.U. P.S. Case No. 340 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. 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 Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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