

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1387 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- BARUN District- Aurangabad

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Guddu Singh @ Guddu Kumar Son Of Ramnandan Singh Resident Of Village
- Jagdishpur, Ps - Barun, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Aman Vishal, learned counsel appearing

on behalf of the petitioner and Mr. Bishweshwar Ram, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Barun P.S Case No.507 of 2023 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. Allegation is of recovery of 9 litres country made
liquor from a sack containing 60 pieces of 150ml each.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Nothing has been recovered
from the conscious possession of the petitioner. Two co-accused
persons have been granted bail by the Co-ordinate Bench of this

Court vide order dated 15.12.2023 in Cr. Misc. No.79825 of 2023. Petitioner has no concern with the alleged seized liquor and the sack from which 9 litres of country made liquor was recovered. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has no criminal antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, the fact that petitioner has no concern with the sack from which 9 litres of country made liquor was recovered. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. The antecedent of the petitioner is clean. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the

satisfaction of learned Special Judge, Excise Court No.1, Aurangabad, in connection with Barun P.S Case No.507 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Ashishsingh/-

(Purnendu Singh, J.)

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