

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1570 of 2024

Arising Out of PS. Case No.-348 Year-2023 Thana- ROH District- Nawada

Santosh Rajbanshi SON OF KARU RAJBANSHI RESIDENT OF
VILLAGE- AJAY NAGAR, PS- RUPO, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate.

For the Opposite Party/s : Mrs.Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Birendra Kumar, learned counsel appearing
on behalf of the petitioner and Mrs. Rina Sinha, learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Roh P.S. Case No. 348 of 2023 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. Allegation is of recovery of 11 litres of country
made liquor from a bag lying on the road.

4. Learned counsel appearing on behalf of the
petitioner submits 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. The place of
recovery is an open place which is accessible to anyone. The



name of the petitioner has surfaced in the case on the disclosure made by the local chaukidar due to enmity. 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.

6. Considering the nature of allegation made against the petitioner and the recovery is from an open place which is accessible to anyone, 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, Nawada in connection with Roh P.S. Case No. 348 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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