

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1031 of 2024

Arising Out of PS. Case No.-401 Year-2023 Thana- BAHERA District- Darbhanga

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Buchkun Das @ Praveen Das, aged about 32 years, Male, S/O GARIBAN
DAS, Resident of VILLAGE- BASUHAM WARD NO. 08, PS. BAHERA,
DIST. DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Vinay Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Ms. Renu Kumari

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bahera P.S. Case No. 401 of 2023 dated 19.10.2023
registered for the offence(s) punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 5.25 litres
of foreign liquor was allegedly recovered from the straw house
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has been
falsely implicated in this case. It is further submitted that



recovery of the illicit liquor has been made from straw hut besides the house of the petitioner, which does not belong to the petitioner and the said hut is always open, which is accessible to anyone. 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 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 Exclusive Special Judge-II, Excise Act, Darbhanga in connection with Bahera P.S. Case No.401 of 2023, subject to the conditions 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 paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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