

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1699 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- PIRPAINTI District- Bhagalpur

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Awdesh Kumar Singh @ Awdhesh Kumar Singh Son of Jay Prakash Mandal
R/o vill - Saraiya, P.S. - Goradih, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Narsingh Tanti, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Praveen Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Narsingh Tanti, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Pirpainti (Bakharpur) P.S. Case No. 278 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 21 litres of country
made liquor from a motorcycle lying on the side of 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.



Nothing has been recovered from conscious possession of the petitioner 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, 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 Additional Sessions Judge-IX, Bhagalpur in connection with Pirpainti (Bakharpur) P.S. Case No. 278 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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