

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1483 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- UCHKAGAON District- Gopalganj

Mannu Kumar Rai @ Munna Kumar Rai, Male, aged about 41 years, S/o Shriprakash Rai Resident of Village- Madhopur Bujurg, P.S.- Kushinagar, Dist.- Kushinagar, UTTAR PRADESH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Setu Prateek, learned counsel appearing on behalf of the petitioner and Mr. Khurshid Anwar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Uchakagaon P.S. Case No. 205 of 2023 dated 06.06.2023 registered for the offence(s) punishable under Section 30(a)(b) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 648 litres of country made liquor was recovered from a Bolero vehicle, which was being driven by the petitioner along with one other co-accused.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has been



falsely implicated in this case. Learned counsel further submits that petitioner has no concern with the alleged recovery of seized liquor. Petitioner undertakes that he will not involve in criminal activities in future and to that effect, he is ready to file his personal affidavit along with two respectable persons of the village where he resides.

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

6. Considering the nature of allegation and also the facts that petitioner is also ready to give his undertaking that he will not involve in criminal activities in future by filing affidavit along with two respectable persons of the village where he resides, 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 Additional District & Sessions Judge-II-cum-Special Judge, Excise Court No.1, Gopalganj in connection with Uchakagaon P.S. Case No. 205 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)

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