

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10511 of 2025

Arising Out of PS. Case No.-198 Year-2024 Thana- AWTARNAGAR District- Saran

Sandeep Kumar aged about 25 years (Male) son of Shilanath Mahto @ Shila Mahto, R/o Village- Maujampur, PS- Awtarnagar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Krishna Kumar Yadav, learned counsel appearing on behalf of the petitioner and Mr. Yogendra Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Awtarnagar P.S. Case No. 198 of 2024 registered for the offence punishable under Sections 303(2), 317(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether 190 litres of country-made liquor was recovered from two motorcycles bearing Registration No. BR31B-3339 and BR06C9214.

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



been implicated in the present case. Petitioner has no concern either with the seized motorcycles or with the alleged seized liquor nor he is involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering 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/her arrest or surrender before the learned District Court 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 1st Exclusive Special Excise Judge, Saran at Chapra, in connection with Awtarnagar P.S. Case No. 198 of 2024, subject to the condition as laid down under Section



438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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