

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12242 of 2025

Arising Out of PS. Case No.-1326 Year-2023 Thana- KAHALGAON District- Bhagalpur

Mithun Kumar Sah S/o Doman Sah Resident Of Village- Gaughatta, Ps-
Budhuchak, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-03-2025 Heard Mr. Praveen Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Pranav Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kahalgaon (Shivnarayanpur) P.S. Case No. 1326 of 2023
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act

3. The allegation is of recovery of 10 liters of country
made liquor from a motorcycle bearing Engine
no.JA07AFNGL01278 and Chassis
no.MBLJAW212NGI02477.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and he has falsely
been implicated in the present case. He has no concern either
with the seized liquor or trade of liquor in any manner. The



petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

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

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 learned District Court 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 District and Sessions Judge-12- cum Special Judge Excise Judge-2, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 1326 of 2023, 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 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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