

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10620 of 2025

Arising Out of PS. Case No.-549 Year-2023 Thana- WAJIRGANJ District- Gaya

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Bifan Kumar, (Male), aged about 25 years, Son of Sudarshan Chaudhary,
Resident of village + P.S.- Bikram, District- Patna

... .. 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. Tapeswar Sharma, A.P.P.

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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. Tapeswar

Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Wajirganj P.S. Case No. 549 of 2023, registered for the
offence punishable under Sections 30(a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether
200 litres country-made illicit liquor was recovered from a
Honda Shine motorcycle bearing Engine No. JC73ET2062195,
Chassis No. ME4JC738EJTO26519 and a Splenor motorcycle
bearing Registration No. BR-01-ET4069.

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



been implicated in the present case. Petitioner is the owner of the Splenor motorcycle bearing Registration No. BR-01-ET4069, which was stolen away from his house. Petitioner has no concern with the 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 Exclusive Special Excise Court No. V, Gaya, in connection with Wajirganj P.S. Case No. 549 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 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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