

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12224 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- LADANIA District- Madhubani

Kamlesh Das @ Kamlesh Kumar Das S/O Madan Das @ Ramjag Das R/O
Village- Dalokhar, P.S- Ladania, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Ladania P.S.Case No.414 of 2024 dated 13.12.2024 (G.R.No.1739 of 2024), registered for the offence(s) punishable under Sections Section 274 and 275 of BNS, 2023 and Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. As per the allegation made in the FIR, altogether 405 ltr. of nepali liquor has been recovered from the stock of straw kept near the house of co-accused.

4. It is submitted by the learned counsel appearing on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner. The place of recovery is an open place, which is accessible to anyone.



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

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, 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 six 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 Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani /concerned court, in connection with Ladania P.S.Case No.414 of 2024 dated 13.12.2024 (G.R.No.1739 of 2024), subject to the condition as laid down under Section 482 (2) of BNSS.

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 paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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