

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12215 of 2025

Arising Out of PS. Case No.-81 Year-2017 Thana- KHUSRUPUR District- Patna

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Lalmuni Rai Son of Chandar Rai, Resident of Village- Banstal, Chauraha,
P.S.- Khushrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Advocate

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

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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 Khushrupur P.S.Case No.81 of 2017 as Spl. Case No1241 of 2017, registered for the offence(s) punishable under Sections Section 30(a)/38 of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, altogether 3.4 ltr. of country-made liquor has been recovered from the house of co-accused persons.

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 and the name of the petitioner has surfaced only on the basis of the confessional statement of co-accused, in the police custody, however, such



confessional statement made in the police custody has no evidentiary value. On these grounds, learned counsel for the petitioner submitted that the petitioner has been implicated in the present case on the frivolous ground.

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 fact that the name of the petitioner has surfaced in the present case on the basis of confessional statement of co-accused in the police custody, however, such confessional statement made in the police custody has no evidentiary value, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of her 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 Exclusive Special court of Excise Patna City/concerned court, in connection with Khushrupur P.S.Case No.81 of 2017 as Spl. Case No.1241 of 2017, 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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