

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21468 of 2025

Arising Out of PS. Case No.-338 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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Virendra Kumar Kushwaha Son of Dinesh Mahto @ Dinesh Kumar Mahto
village- Milkichak, Dilawarpur, PS- Bahadurpur, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Pallavi, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. At the very outset, learned counsel appearing on
behalf of the petitioner submits that she wants to delete
paragraph no.10 of the bail application in course of the day.

3. Permission accorded.

4. Petitioner seeks pre-arrest bail in connection with
Madhubani Town P.S.Case No.338 of 2023, registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

5.As per the allegation made in the FIR, total 180 ltr.
of nepali liquor was allegedly recovered from a vehicle bearing
registration no.BR06PA8396.

6. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is the owner of the vehicle but the said vehicle was being driven by one Pratap Sah. Admittedly, the petitioner was not present at the time of alleged seizure of the liquor from the vehicle bearing Registration No.BR06PA8396 and his name has appeared in the present case on the basis of confessional statement of one Pravesh Yadav, who has disclosed the name of the petitioner. Petitioner has clean antecedent.

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

8. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation, the petitioner 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.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Madhubani/concerned court, in connection with Madhubani Town P.S.Case No.338/2023 (GR No.1465/2023), subject to conditions as laid down under Section 482(2) of BNSS of 2023.

9. 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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