

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21789 of 2025

Arising Out of PS. Case No.-336 Year-2024 Thana- DAGARUA District- Purnia

Chhotu Kumar, aged about 25 years, Male, S/O Ashok Kumar R/o Mohalla-
Madhubani, P.S.- Madhubani, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Bijendra Kumar Singh learned counsel
appearing on behalf of the petitioner and Mr. Amitesh Kumar
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Dagarua P.S. Case No. 336/2024 registered for the
offence(s) punishable under Section 30(A) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 27 litres of
illicit liquor was recovered from a Toto (E- Rickshaw)
belonging to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Admittedly, at the time of
the alleged seizure and recovery of illicit liquor, petitioner was



not present and the said vehicle was being driven by co-accused Rahul Kumar, who has not stated a single word against the petitioner. Petitioner had no idea that co-accused Rahul Kumar was carrying liquor on the said vehicle. Petitioner has clean antecedent.

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

6. Having considered the rival submissions made on behalf of the parties, I find that petitioner is the owner of the vehicle in question and at the time of alleged seizure, the vehicle was being driven by co-accused, Rahul Kumar. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No.1, Purnea in connection with Dagarua P.S. Case No. 336/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.



8. 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)

Sanjay/-

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