

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21840 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- OBRA District- Aurangabad

Munshi Bhuiyan, aged about 35 years, Sex- Male, S/o Ramnath Bhuiya R/o
Village- Labadana, P.S.- Obra, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Ms. Rupa Kumari, learned counsel appearing
on behalf of the petitioner and Mr. Raj Kishor Singh, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Obra P.S. Case No. 80/2025 registered for the offence(s)
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the allegation made in the FIR, 90 litres of
illicit liquor was recovered from a bush.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Name of the petitioner has
surfaced in this case on the basis of confessional statement of
apprehended co-accused Harendra Prasad and confessional



statement made before police has no evidentiary value. The recovery of illicit liquor has been made from an open space which is easily accessible by anyone.

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

6. Considering the nature of allegation made against the petitioner and also the fact that recovery of illicit liquor has been made from an open space, which is easily accessible by anyone, 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 Special Judge, Excise Court No.2, Aurangabad, Bihar in connection with Obra P.S. Case No. 80/2025, 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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