

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23286 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- PHULPARAS District- Madhubani

Lalit Saw @ Lalit Kumar Sah aged about 49 years (Male) S/O Ram Bilas Saw, Resident of Village- Bharaha, Police Station - Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Ashok Kumar Prasad, learned counsel appearing on behalf of the petitioner and Mr. Dashrath Mehta, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Phulparas P.S. Case No. 37 of 2025 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 6 litres of Nepali illicit liquor from a bag allegedly thrown by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to local village politics. Name of the petitioner has been disclosed by the *Chaukidaar*. Petitioner has no concern



with the seized liquor nor he is involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that name of the petitioner has been disclosed by the *Chaukidaar*. Petitioner has clean antecedent. 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/her arrest or surrender before the learned District Court within a period of four 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 Special Judge, Excise



Act, Jhanjharpur, Madhubani, in connection with Phulparas P.S.
Case No. 37 of 2025, subject to the condition as laid down
under Section 482(2) of the BNSS, 2023.

**8. The learned District Court is directed to verify
the criminal antecedent of the petitioner as stated in
paragraph no. 3 of the bail application. If any other case is
pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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