

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27072 of 2025

Arising Out of PS. Case No.-499 Year-2023 Thana- SABAUR District- Bhagalpur

Durga Kumar, aged about 30(M) Years, S/o Jano Mandal R/vill - Bhadurpur,
PS- Sabour, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2025 Heard Mr. Rajive Ranjan Singh, learned counsel
appearing on behalf of the petitioner and Mr. Surendra Prasad
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sabour P.S. Case No. 499 of 2023 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, altogether 42
litres of illicit liquor was recovered from a Scooty and two bags,
which were allegedly left by the accused persons after seeing
the police party.

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 he has been made accused in this case, being the owner of the vehicle in question, which was given by the petitioner to co-accused/villager in good faith and the same was being driven by him at the time of said incidence and as such the petitioner had no idea that the accused person 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. Considering the nature of allegation made in the FIR and also the fact that 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 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 Additional District & Sessions Judge-12-cum-Special Excise Judge-2, Bhagalpur / Concerned Court in connection with Sabour P.S. Case No. 499 of 2023, 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/-

U		T	
---	--	---	--

