

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27074 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- KALYANPUR District- Samastipur

Shree Kopnath @ Kopnath @ Golu, Male, aged about 22 years, S/O
Amarnath Paswan, Resiedent of Vill.- Kolhuara, P.S- Kalyanpur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2025 Heard Mr. Bijay Bhushan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kalyanpur P.S. Case No. 240 of 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, 6.54. litres of
illicit liquor and a pistol were recovered from the house of the
co-accused Shiv Kumar, who has disclosed the name of 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. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value. He further submitted that recovery of illicit liquor and pistol was made from the house of co-accused, Shiv Kumar and petitioner has no concern either with the alleged illicit liquor or the pistol. 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 against the petitioner and also the fact that name of the petitioner, who is having clean antecedent, has surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value, 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-01, Samastipur / Concerned Court in connection with Kalyanpur P.S. Case No. 240 of 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)

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