

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30280 of 2025

Arising Out of PS. Case No.-04 Year-2022 Thana- KHAJEKALA District- Patna

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Kumbha Rai @ Rajendra Rai @ Kumbh Rai S/o Girija Rai R/o Vill- Diwan
Mohalla, Sidhi, P.S.- Khajekala, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2025 Heard Mr. Manoj Kumar Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Tarun Prasad

Mandal, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Khajekala P.S. Case No. 04 of 2022 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 22 litres of country
made liquor from the cattle shed of 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. He has no concern either
with the seized liquor or trade of liquor in any manner. The
name of the petitioner has surfaced in the case on the disclosure



made by the apprehended accused. He was not present at the time of the seizure.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that there is complete failure of prohibition in the State of Bihar and 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 nature of allegation made against the petitioner and the fact that the name of the petitioner has surfaced in the case on the disclosure made by the apprehended accused and the petitioner was not present at the time of seizure, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Patna City, Patna in connection with Khajekala P.S. Case No. 04 of 2022, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

7. The 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 Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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