

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30339 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- RAJAPAKAR District- Vaishali

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1. Md. Kamre Alam @ Kamre Alam, aged about 26 years, Sex, Male, S/O Mohammad Taslim
 2. Md. Sarfaraj, aged about 28 years, Male, S/O Mohammad Taslim
Both are resident of Village- Bhalui, PS- Rajapakar, District- Vaishali

... .. 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.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2025 Heard Ms.Rupa Kumari, learned counsel appearing on behalf of the petitioners and Mr.Dinesh Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rajapakar P.S. Case No. 117 / 2025 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, 94.8 litres of illicit liquor was recovered from a poultry farm.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. It is further



submitted that the said poultry farm from where the recovery of illicit liquor has been made is a joint family property and petitioners were not present at the time of alleged seizure. Petitioners have clean antecedent.

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

6. Having considered the rival submissions made on behalf of the parties as well as the fact that there is total failure of Prohibition in the State of Bihar, action is required by Superintendent of Police and Excise Superintendent concerned. The distance from the said chicken farm and the concerned police station is only 2 kilometers and, as such, the complicity of the concerned SHO cannot be denied. The Director General of Police, Bihar is directed to seriously look into the affairs of the prohibition and take necessary step to stop violation of the statutory provision of Bihar Prohibition and Excise Act.

7. Considering the nature of allegation made against the petitioners and also the fact that petitioners, who are having clean antecedents, were not present at the time of alleged seizure, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

8. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.2-cum-District & Additional Sessions Judge, Vaishali at Hajipur / Concerned Court in connection with Rajapakar P.S. Case No. 117 / 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. 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.

10. Let a copy of this order be communicated to the Director General of Police, Bihar immediately for needful.

(Purnendu Singh, J)

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