

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28187 of 2025

Arising Out of PS. Case No.-392 Year-2024 Thana- NADI P.S. District- Patna

Sudhir Kumar S/o Om Prakash Singh Resident of Village- Raibagh, P.S.-
Didarganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barun Prasad, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Barun Prasad, learned counsel appearing
on behalf of the petitioner and Mr. Binod Kumar, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Nadi P.S. Case No. 392 of 2024 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of 30 litres of country
made liquor from a motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has
falsely been implicated in the case. Petitioner is not the owner of
the motorcycle from which liquor was recovered and he was not
present at the place of seizure. He has no concern either with the
seized liquor or trade of liquor in any manner. The petitioner has
clean antecedent.



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

6. Considering the nature of allegation made against the petitioner and the fact that the motorcycle from which liquor was recovered does not belong to the petitioner and the petitioner was not present at the place 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 Special Judge, Excise, Gay Ghat, Patna City, Patna in connection with Nadi P.S. Case No. 392 of 2024, 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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