

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28054 of 2025

Arising Out of PS. Case No.-322 Year-2021 Thana- KORHA District- Katihar

UDAY SINGH S/o Harichandra Singh R/o vill - Divanganj, P.s.- Ranipatra,
Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 07-05-2025 Heard Mr. Pawan Kumar Singh, learned counsel appearing on behalf of the petitioner and Ms.Sangeeta Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Korha P.S. Case No. 322 of 2021 registered for the offence punishable under Sections 279, 337 and 338 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation is of recovery of 22.875 litres of foreign liquor from a car driven by co-accused Anil Mistri. The petitioner has been alleged as the person who ran away from the place of occurrence.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner has been falsely implicated in the case on the disclosure made by the co-accused from whom liquor was recovered. The petitioner was not present at the place of occurrence. He further submits that the petitioner is neither the driver nor owner of the alleged car from which liquor was recovered. He has no concern either with the seized liquor or trade of liquor in any manner.

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 car from which liquor is said to have been recovered does not belong to the petitioner, 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 Addl. Distt. & Sessions Judge-cum-Exclusive Special Judge (Excise), Court No.2, Katihar in connection with Korha P.S. Case No. 322 of 2021, 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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