

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30297 of 2025

Arising Out of PS. Case No.-247 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Brahamdev Rai @ Shri Brahamdev Rai @ Rameshwar Rai S/o Late Makhan
Rai alias Shri Makhan Rai, R/o Village- Mohanpur, PS- Mufassil, Distt-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2025 Heard Ms. Suruchi Anand, learned counsel

appearing on behalf of the petitioner and Mr. Mritunjay Kumar

Nirala, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Mufassil P.S. Case No. 247 of 2019 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 15 litres of country
made liquor from bathan 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 enmity. He has no concern either with the
seized liquor or trade of liquor in any manner. The place of
recovery is accessible to co-villagers and public at large. 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 recovery of liquor is from bathan of the petitioner which is accessible to public at large, 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-I, Samastipur in connection with Mufassil P.S. Case No. 247 of 2019, 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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