

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30363 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- KURSAILA District- Katihar

Raushan Kumar, age 30 Yrs., Male, S/o Bindeshwari Mandal, R/o Maliniya,
P.S.- Kursela, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2025 Heard Mr. Sanjeev Kumar Singh,K learned counsel
appearing on behalf of the petitioner and Mr. Md. Nazir Ansari,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kursela P.S. Case No. 20 of 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, 30 litres of
illicit liquor was recovered from a gallon allegedly thrown by
the accused persons including the petitioner near the *Malinia*
Railway Dhala after seeing the police party. They managed to
flee away and *Chowkidar* has disclosed the name of the
petitioner.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case on the basis of suspicion. He further submitted that recovery of illicit liquor has been made from an open space, which is easily accessible by anyone. Petitioner has no concern with the alleged seized liquor.

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

6. Considering the nature of allegation made against the petitioner and recovery of illicit liquor has been made from an open space which is easily accessible by anyone, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Exclusive Excise Court No.2, Katihar / Concerned Court in connection with Kursela P.S. Case No. 20 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. 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.

(Purnendu Singh, J)

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