

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31467 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- Akbarpur District- Purnia

Runva Uraon @ Arun Uraon @ Runua Uraon S/o Jhaksu Uraon R/o Village-
Sureti, I P.S.- Akbarpur, P.O.- Dumrah, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Akbarpur P.S. Case No. 25 of 2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation against the petitioner is of manufacturing and selling of country made liquor at his house, the police conducted raid. However, noticing the police party, four persons who were present there tried to flee away, out of which one person was apprehended. In course of search from a grocery shop situated inside the house, 15 liters of country made liquor along with other utensils were recovered.

4. Learned Advocate for the petitioner contended that



the petitioner has no concern with the grocery shop, from where the alleged recovery has been made. In fact, the same is being run by other family member of the petitioner. Only on account of the fact that the petitioner is carrying one criminal antecedent of identical nature, his name has been implicated in this case. Taking this Court through the seizure list, learned Advocate for the petitioner further contended that had the recovery been made from the house/grocery shop of the petitioner, there would have been signature of any of the family members, but surprisingly, the witnesses are none else but the police personnel, this also smacks mala fide. There is no compliance of Sections 103 and 105 of the BNSS, apart from defiance of Section 82 of the Bihar Prohibition and Excise Act, 2016.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the illicit wine and the manufacturing utensils were recovered from the house of the petitioner and, moreover, there is a bar under Section 76(2) of the Bihar Prohibition and Excise Act, 2016.

6. Regard being had to the submissions made on behalf of the parties and considering the serious infirmities in the search and seizure, coupled with the fact that the petitioner has no concern with the grocery shop and the absence of the



materials, which attracts the rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. - 2, Purnea in connection with Akbarpur P.S. Case No. 25 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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