

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36833 of 2025

Arising Out of PS. Case No.-78 Year-2023 Thana- BELHAR District- Banka

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Babulal Murmu @ Babulal Hansda S/o Madan Hansda @ Madan Murmu
Resident of Village- Pipartilla, P.S.- Belhar, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-06-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Belhar P.S. Case No. 78 of 2023 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of 72 litres of country
made liquor kept in four plastic gallons from the forest situated
in the east side of Pipartilla village.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. He has no concern either
with the seized liquor or trade of liquor in any manner. The
place of recovery is an open place which is accessible to



anyone. 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. There is complete failure of prohibition in the State of Bihar and due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar.

7. Considering the nature of allegation made against the petitioner the place of recovery is an open place which is accessible to anyone, 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 Excise Court-I, Banka / concerned court in connection with Belhar P.S. Case No. 78 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. 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.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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