

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58951 of 2025

Arising Out of PS. Case No.-51 Year-2024 Thana- BENIPATTI District- Madhubani

Vindeshwar Sada @ Vinde Sada aged about 52 years (male) Son of Late Mahanth Sada, Resident of village - Dihuli Ser, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-09-2025 Heard Mr. Ravi Prakash, learned counsel appearing on behalf of the petitioner and Mr. Anil Kumar Singh No. 1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Benipatti P.S. Case No. 51 of 2024 registered for the offence punishable under Sections 30 (a), 32 and 41(1) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 27 litres of illicit Nepali Saufi liquor from the hut 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 local village politics. Petitioner has no concern with the seized liquor nor he is involved in trade of



liquor in any manner. The place of recovery is an open place which is accessible to anyone. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that 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. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the fact that the recovery of 27 litres of Nepali Saufi liquor from the hut of the petitioner, which is an open place and easily accessible to any one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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 the learned District Court where the case is pending, in connection with Benipatti P.S. Case No. 51 of 2024, subject to the condition as



laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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