

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63177 of 2025

Arising Out of PS. Case No.-36 Year-2023 Thana- FULKAHA District- Araria

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Bimal Kumar Son of Prayag Singh, Resident of Village - Parari, Police
Station - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. At the very outset, learned counsel appearing on behalf of the petitioner submitted that due to incorrect instruction of the Pairvikar, the petitioner has given certain information in paragraph no.7 with respect to the vehicle along with the sale-deed and in absence of the application made for transfer of the vehicle in the name of the purchaser, he does not find it proper to make his submission on the very said basis. He seeks to delete paragraph no.7 of the bail application along with the annexure.

3. Permission accorded.

4. The petitioner seeks pre-arrest bail in connection with Fulkaha P.S.Case No.36 of 2023, registered for the



offences punishable under Section 279 of IPC read with Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the FIR, total 334.8 ltrs. of nepali liquor was recovered from a four wheeler vehicle bearing Registration No.BR1AG 9556.

4. Learned counsel appearing on behalf of the petitioner denies the complicity of the petitioner in the alleged offence though he admits that the vehicle is registered in his name, which was parked on the road. Learned counsel further submitted that the place of recovery is open place, which is accessible to anyone. Petitioner has clean antecedent.

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

6. Having considered the rival submissions of the parties, as well as, considering the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the district court 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 District and Additional Sessions Judge cum Exclusive Special Excise Judge II, Araria in connection with Fulkaha P.S.Case No.36 of 2023,



subject to the conditions as laid down under Section 482(2) of BNSS.

7. 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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