

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72566 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- BARUN District- Aurangabad

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Gaju Bhuiyan @ Jagu Bhuiyan S/o Late Raju Kumar Bhuiyan R/o Village-
Gauri Bigha, P.S.- Barun, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Jagdhari Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2025 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 Barun PS Case No.386 of 2025, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 14.200 ltrs. of *illicit* liquor has been recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the seizure list has been prepared behind the back of the petitioner and in spite of fact that the family members of the petitioner were not made witness to the seizure list, the petitioner has been roped in the present case because



one criminal case of similar nature is pending against him. On these grounds, the the 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.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the alleged seizure was conducted when no one was present in his house as would appear from the seizure list nor any family member of the petitioner having been made witness to the alleged seizure, 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 Special Judge Excise Court No.1, Aurangabad in connection with Barun PS Case No.386 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

7. 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.

8. The present bail application stands disposed of.

(Purnendu Singh, J)

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