

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71319 of 2025

Arising Out of PS. Case No.-208 Year-2025 Thana- Excise P.S. District- Samastipur

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Ashok Kumar @ Rajesh Roy S/o Gagandev Roy R/o Village- Bhagwanpur,
Ward No. 11, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-10-2025 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sadar Excise PS Case No.208 of 2025, registered for the
offences punishable under Section 30(a) of Bihar Prohibition
and Excise Act.

3. As per the allegation made in the FIR, total 24.630
ltrs. of foreign liquor has been recovered from behind the house
of the petitioner.

4. The learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
been falsely implicated in the present case. Nothing has been
recovered from his conscious possession. Learned counsel
further submitted that the place of occurrence is an open place,



which is accessible to anyone. Petitioner has clean antecedent.

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

6. Having considered the rival submissions of the parties, as well as, considering the fact that the recovery of the liquor has been made from an open place, which is accessible to anyone, the 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 Special Judge Excise II, Samastipur in connection with Sadar Excise PS Case No.208 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 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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