

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79689 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- Excise P.S. District- Begusarai

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Raushan Kumar S/O Late Gopal Kuover @ Gopal Kumar R/o Vill.-
Maniyappa, P.S - Matihani, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 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 Excise P.S. Case No. 296 of 2025 registered for the offence punishable under Sections 30(a), 32(3) and 36 of the Bihar Prohibition and Excise Act, as amended up to date.

3. Allegation is of recovery of 18.375 litres of illegal foreign liquor from a motorcycle bearing Registration No. BR09AH9536.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. Name of the petitioner has surfaced in the case on the disclosure made by the



co-accused. Learned counsel further submitted that the petitioner has given him instruction that now onwards he will not commit any crime.

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 and the nature of allegation against the petitioner and the fact that the name of the petitioner has surfaced in the case on the basis of the confessional statement of co-accused which has no evidentiary value in the eye of law, 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 District Court where the case is pending in connection with Excise P.S. Case No. 296 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) 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 petitioner will make his attendance before the concerned police station under which his house is located every day at 10:30 AM till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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