

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79672 of 2025

Arising Out of PS. Case No.-1032 Year-2025 Thana- Excise P.S. District- Aurangabad

Munna Kumar Son of Krishna Prasad R/O Village - Shahpur Tikari, P.S.-
Aurangabad Town, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

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.1032 of 2025, registered for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, the Police recovered 10 ltrs. of country-made liquor from a motorcycle bearing Registration No.BR 26S 8762, which was being driven by co-accused Raushan Kumar and he was arrested on the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, Raushan Kumar and confessional statement made in the police



custody has no evidentiary value.

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 confessional statement of co-accused given in police custody has no evidentiary value, the petitioner, above named, 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 Special Judge, Excise II, Aurangabad in connection with Excise P.S.Case No.1032 of 2025, subject to the condition as laid down under Section 482(2) of the 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.

(Purnendu Singh, J)

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