

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82319 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- Excise P.S. District- Samastipur

Rajesh Kumar S/O Ram Sagun Mahto R/V- Khanpur Ward No.-5, P.S-
Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-12-2025 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 Samastipur Sadar Excise P.S.Case No.278 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. The prosecution story in short is that 5.760 ltr. of IMFL has been recovered from a heap of stone chips kept in the asbestos thatched 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. Learned counsel further submitted that nothing has been recovered from his conscious possession.



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 allegation made in the FIR and the recovery of 5.760 ltrs. of IMFL from the open space, 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 Court II, Samastipur, in connection with Samastipur Sadar Excise P.S.Case No.278 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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