

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3738 of 2025

Arising Out of PS. Case No.-287 Year-2019 Thana- DIDARGANJ District- Patna

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Raju Mahto @ Raju Kumar Son of Late Kedar Mahato Resident of Village-
Kachhi Dargah, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Awadhesh Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Shantanu Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Didarganj P.S. Case No. 287/2019 registered for the
offence(s) punishable under Sections 30(a), 36 and 41(1) of the
Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 500 litres of
illicit liquor was recovered from a tempo bearing Registration
No.BR01GC – 6639 and driver of the said tempo, namely,
Santosh Kumar was arrested and who disclosed the name of the
petitioner.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Santosh Kumar and confessional statement made before police has no evidentiary value. He further submitted that petitioner has no concern either with the said tempo or seized liquor. Petitioner has clean antecedent.

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

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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 learned Special Judge, Excise Court, Patna city in connection with /Didarganj P.S. Case No. 287/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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)

Sanjay/-

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