

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90006 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- KHODAWANDPUR District- Begusarai

- 1 .

Pramod Kumar S/O Tarkeshwar Mahto R/O Village- Fafaut, P.S- Khodawandpur, Distt.- Begusarai.
2.

Raushan Kumar S/O Dinesh Rai R/O Village- Fafaut, P.S- Khodawandpur, Distt.- Begusarai.

The State of Bihar

Versus

... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ranjit Kumar Thakur , Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2

30-01-2025

Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise (Amendment) Act 2022 .

3 . It is alleged that 17 liters of country made liquor was recovered from house of petitioner No. 2.

4. It is submitted that the petitioners are innocent and



have falsely been implicated in this case only on the basis of suspicion . No incriminating material has been recovered from the conscious possession of the petitioners and they are no way connected with the aforesaid recovery . Petitioner No. 1 has got one criminal antecedent of similar nature on which he is on bail.

5 . Learned counsel for the State opposed the bail petition and submitted that the recovery has been made from the house of the petitioner No. 2, as such, this pre-arrest bail petition of petitioner No. 2 is not maintainable in view of Full Bench decision of this Court rendered in the case of ***Ram Vinay Yadav vs. The State of Bihar*** reported in ***2019(2) P.L.J.R. 1089 (F.B.)***.

6. Considering the aforesaid decision of this Court, this pre-arrest bail petition of petitioner No. 2 is dismissed as not maintainable .

7. Considering the facts of the case , in the event of arrest/surrender within eight weeks from today, let the petitioner No. 1 above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge Begusarai in connection with Khodawandpur Police Station Case No. 152 of 2024 , subject



to the conditions laid down under section 482 (2) of BNSS
2023 .

(Prabhat Kumar Singh, J)

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