

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1117 of 2025

Arising Out of PS. Case No.-59 Year-2020 Thana- NADI P.S. District- Patna

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Pramod Kumar Son of Harendar Kumar Resident of Village- Maujipur, P.S.-
Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-02-2025 Heard Ms. Kumari Pallavi, learned counsel
appearing on behalf of the petitioner and Mr. Lakshmi Kant
Sharma, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Fatuha P.S. Case No. 59 of 2020 registered under
Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 805.65
liters of illicit liquor was recovered from a truck bearing
Registration no.BR1GA-1674, Engine No.497TC
93KTZ898759, Chassis No.38 2333KTZ827353.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Learned counsel further submitted that petitioner is not named in the FIR but his name has surfaced in this case, being the owner of the said truck, which was given on rent to be used as a public transport for carrying the goods and, as such, petitioner has no concern with the alleged seized liquor. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. The District Transport Officer is directed to verify the owner of the truck bearing Registration No. BR1GA-1674 on the basis of chassis number, engine number and registration number and submit his report before the learned District Court. Total 805.65 litres of illicit liquor has been recovered. In case the truck is not stolen one and is registered in the name of the petitioner, who was not present at the time of alleged seizure, 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, Patna City, Dist.-Patna, in connection with Fatuha P.S. Case No. 59 of 2020, subject to the condition 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, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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