

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20419 of 2026**

Arising Out of PS. Case No.-148 Year-2020 Thana- FATUA District- Patna

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1. Satish Kumar @ Satish Prasad, aged about 47 years, Gender- Male.
  2. Ashok Kumar aged about 56 years, Gender- Male.
  3. Sikandar Yadav @ Sikandar Singh @ Karu, aged about 36 years, Gender- Male, All are S/o Late Chandradev Singh @ Chandradev Rai. All are Resident of Village- Bhagwanpur, PS - Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      08-04-2026                      Heard Mr. Jay Ram Prasad, learned counsel appearing on behalf of the petitioners and Mr. Bishweshwar Ram, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Fatuha P.S. Case No. 148 of 2020 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 300 litres of illicit country-made liquor from near the bank of *Punpun* river.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel



appearing on behalf of the petitioners submits that the petitioners have been falsely implicated in the present case. Petitioners have no concern with the alleged seized liquor nor they are involved in trade or consumption of illicit liquor in any manner. The recovery was made from near the bank of *Punpun* river, which is an open place and easily accessible to anyone. 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. Having heard the rival submissions made on behalf of the parties, as well as, the fact that the recovery of 300 litres of illicit liquor was made from near the bank of *Punpun* river, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the **petitioners no. 1 and 3**, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Fatuha P.S. Case



No. 148 of 2020, subject to the condition as laid down under Section 482(2) of the BNSS.

7. So far as **petitioner no. 2** is concerned, considering that he has one criminal antecedent under Section 47 of the Bihar Excise Act, 1915, I am not inclined to enlarge him on pre-arrest bail.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioners no. 1 and 3 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 1 and 3 as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

Niraj/-

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