

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20453 of 2026

Arising Out of PS. Case No.-33 Year-2026 Thana- SHAMBHUGANJ District- Banka

Prakash Tanti Son of Vitan Tanti Resident of Village - Haribanshpur (Teldiha),
Police Station - Shambhuganj, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2026 Heard Mr. Raghav Prasad, learned counsel
appearing on behalf of the petitioner and Ms. Indu Kumari
Srivastava, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Shambhuganj P.S. Case No. 33 of 2026 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016, as amended upto date.

3. As per the allegations made in the FIR, 38 litres of
country-made liquor was allegedly recovered from an under-
construction portion of the petitioner's house.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has been
falsely implicated in the case. He has no concern either with the
seized liquor or trade of liquor in any manner. The alleged room



has no door and it is an open space, easily accessible to anyone. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has 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, upon perusal of the materials available on record, this Court finds that the alleged recovery has been made from an under-construction portion of the petitioner's house, which is stated to be an open and accessible space. I am of the opinion that the petitioner having clean antecedent has, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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 District Court where the case is pending/successor court in connection with Shambhuganj P.S. Case No. 33 of 2026 , subject to the condition as laid down under Section 438(2) of the Cr.P.C./482 of the BNSS.

8. The 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 Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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