

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55920 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- BARGAINIA District- Sitamarhi

1. Raghuvansh Rai @ Raghuvansh Yadav, age about 39 years, (M), son of Late Jagarnath Rai
2. Amit Kumar @ Lalu @ Purshottam Kumar, age about 33 years, (M), son of Jagatnarayan Rai, Both Resident of village- Masaha, Ps- Baigania, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2024 Heard Mr. Sanjay Kumar learned counsel appearing on behalf of the petitioners and Mr. Shailendra Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bairgania P.S. Case No. 93/2024 registered for the offence(s) punishable under Sections 30(A)30(C) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, in course of patrolling, the police found a Maruti Suzuki car bearing registration No.BR06R/0324, Engine No.F1ODN3269087, Chassis No.MA3MD81500144986 overturned after having met with an accident and from the said vehicle, 98.7 litres of illicit



liquor was also recovered. Driver of the said vehicle was found dead. Petitioners are named in the FIR.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have not committed any crime, nor they were involved in the alleged accident of the vehicle. Petitioners are also nowhere connected with the driver, who was found dead as a result of the accident, nor they are connected in the commission of crime of illicit liquor in the State of Bihar. The vehicle also don't belong to the petitioners.

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

6. Having considered the rival submissions made on behalf of the parties, as well as the nature of allegation made against the petitioners, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, the present bail application stands dismissed.

7. However, the petitioners, if so advised, may surrender before the learned District Court and seek regular bail and may plea their innocence that they are nowhere connected with the vehicle or they are not involved in the illicit trade of liquor. In that case, the learned District Court may call for a



report from the concerned District Transport Officer with respect to the vehicle in question, considering the fact that on the basis of a fake chassis number, engine number and registration number, illicit trade of liquor is rampant in the State of Bihar.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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