

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19204 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- Excise P.S. District- Siwan

Divyanshu Kumar Mishra, aged about 25 years old, Son of Suresh Mishra,
resident of Village -Chakra PS -Siwan Muffasil District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prabhakar Singh, Advocate Mr. Birottam Narayan Singh, Advocate Mr. Pranav Bhaskar, Advocate Ms. Ritika Kumari, Advocate
For the Opposite Party/s :		Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard learned counsels appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Siwan Case No. 55 of 2025 registered for the
offence(s) punishable under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 270 litres of
illicit liquor was recovered from a car, belonging to the
petitioner.

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 during investigation, petitioner has been made accused being the owner of the said car. He further submitted that though the vehicle is registered for private use but it was being used in the office of District Administration and the same was used to be driven by co-accused/driver/Sumit Kumar, who has misused his privilege and has been arrested. He further submitted that from the FIR, it is clear that the arrested driver has himself admitted that the seized liquor belongs to him and he has not disclosed anything against the petitioner and, as such, owner of the car is not involved in any manner in smuggling of the liquor. Petitioner has clean antecedent.

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

6. In the facts and circumstance of the case, 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 Exclusive Special Excise Court-II, Siwan in connection with Excise P.S. Siwan Case No. 55 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



7.The learned 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 paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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