

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19165 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- BALRAMPUR District- Katihar

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Pankaj Kumar S/o Shiv Shankar Singh R/o vill- Biswaspur, PS- Dagarua,
Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Sanjeev Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Parmanand

Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Balrampur P.S. Case No. 180 of 2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2022.

3. As per the allegation made in the FIR, 72.640 litres
of foreign liquor was recovered from a vehicle bearing
Registration No. BR11H-9125, Chassis
No.MA1TA2MHNC2G16800 and Engine No.MHC4G93898.

4. It is contended on behalf of the petitioner that
merely on the basis of the allegation a vehicle bearing
Registration No. BR11H-9125, Chassis



No.MA1TA2MHNC2G16800 and Engine No.MHC4G93898 was seized, from which huge quantity of illicit liquor was recovered, which was already sold to the petitioner by the original owner of the vehicle, but in absence of any evidence to that effect, that such transfer has been made in accordance with the Indian Motor Vehicle Act, the petitioner cannot be held responsible for the clandestine sale of illicit liquor in the State of Bihar. The petitioner has no concern either with the seized liquor or trade of liquor in any manner. The petitioner has clean antecedent. On these grounds the petitioner seeks to be released on bail.

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

6. In the facts and circumstances 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 Judge Excise Court No.1, Katihar, in connection with Balrampur P.S. Case No. 180 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. 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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