

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23221 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Dhanu Kumar Son of Hare Ram Singh R/O Vill- Barhara, P.S.- Barhara,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Akash Kumar Mishra, learned counsel

 appearing on behalf of the petitioner and Mr. Sanjay Kumar

 Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Udwantnagar P.S. Case No. 53 of 2025 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act.

3. As per the allegation made in the FIR, 154 litres of
illicit country made liquor was recovered from two sacks, which
were tied on two motorcycles, out of which one was bearing
Registration No.BR03AD4983, Chassis
No.MBLHA10DGHHA75046 and Engine
No.HA10ERHHA62835 and another motorcycle, not bearing
number plate, was bearing Chassis



No.MBLHAW228R9K55456 and Engine
No.HA11E8R9K21099.

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 recovery was made from two motorcycles, out of which one was bearing Registration No.BR03AD4983, Chassis No.MBLHA10DGHHA75046 and Engine No.HA10ERHHA62835 and another motorcycle, not bearing number plate, was bearing Chassis No.MBLHAW228R9K55456 and Engine No.HA11E8R9K21099. The petitioner is neither the owner of the said motorcycles nor anything incriminating was recovered from his conscious possession. The petitioner's name was surfaced in the present case on the basis of a secret information. 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. Considering the nature of allegation made against the petitioner and the fact that altogether 154 litres of illicit



country made liquor was recovered from two motorcycles, out of which one was bearing Registration No.BR03AD4983, Chassis No.MBLHA10DGHHA75046 and Engine No.HA10ERHHA62835 and another motorcycle, not bearing number plate, but bearing Chassis No.MBLHAW228R9K55456 and Engine No.HA11E8R9K21099, learned District Court is directed to verify from the District Transport Officer concerned in respect of the seized motorcycles, as to whether, the same is registered in the name of the petitioner?

7. In case, the same is registered in the name of the petitioner and are not stolen and the vehicles were being driven by some other persons, the petitioner cannot be held responsible for the said act of the co-accused. In that 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court No.II, Bhojpur, Ara, in connection with Udwanthnagar P.S. Case No. 53 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify



the criminal antecedent/s 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.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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