

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23264 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- THALI District- Nawada

Arvind @ Sadhu Yadav (Male) Aged About 30 Years, Son of Krishna Yadav,
Resident of Village- Baksauti Police Station-Thali, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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

appearing on behalf of the petitioner and Mrs. Indu Kumari

Srivastava, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Thali P.S. Case No. 45 of 2025 registered for the offence
punishable under Section 317(5) of the Bharatiya Nyaya Sanhita
and Section 30 (a)/41 of the Bihar Prohibition and Excise Act as
amended up-to-date.

3. Allegation is of recovery of 100 litres of country-
made liquor from a motorcycle bearing Registration No. BR-
03AG-1329.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case due to local village politics. Petitioner has no



concern either with the alleged seized country-made liquor with the motorcycle from which the alleged liquor was seized nor he is involved in trade of liquor in any manner. The motorcycle from which the alleged liquor was seized, was parked at a public place, which is accessible to anyone. 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 to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the motorcycle from which the alleged 100 litres of illicit liquor were seized, was parked at a public place, which is accessible to anyone, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-Ist, Nawada, in connection with Thali P.S. Case No. 45 of 2025, subject to the condition 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 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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