

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59085 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- EXCISE PATORI District- Samastipur

Niraj Thakur @ Niraj Kumar Thakur @ Neeraj kumar Thakur S/o Late Ram
Punit Thakur @ Ram Punit Thakur R/o - Tiswara, Saranpur, Ward No.04, P.S
- Halai, District - Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-09-2025 Heard Mr. Vinay Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Mritunjay Kumar

Nirala, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise Patori P.S. Case No. 74 of 2025 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

3. As per the allegation made in the FIR, 1.325 litres
of foreign liquor was recovered from the grocery shop of the
petitioner.

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 seized liquor was recovered from the grocery shop of the petitioner which is an open space, which is easily accessible to the general public. No incriminating article has been recovered from the conscious possession of the petitioner. 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, as well as, the fact that the seized liquor was recovered from the grocery shop of the petitioner, which is an open space and is easily accessible to the general public, 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 District Court where the case is pending in connection with Excise Patori P.S. Case No. 74 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

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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