

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63160 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- BAIRIYA District- West Champaran

1. Madan Yadav S/o Late Ekbali Yadav
2. Dhananjay Kumar Yadav S/o Bhola Yadav @ Rameshwar Yadav
Both are R/o - Machhargawan Ward no.12, P.S.- Bairiya, District - West Champaran
3. Abhishek Yadav S/o Chanchal Yadav R/o Shivrajpur, Sankia-Mai Sthan,
P.S.- Nautan, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarvesh Kumar, R/O at ASI Bairiya Thana, P.S. Bairiya, Distt.- West Champaran, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Shukla, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bairiya P.S.Case No.200 of 2025, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the FIR, a raid was conducted by the Police and 130.320 ltr. of foreign liquor was recovered from the bamboo clamp and the Chowkidar identified the petitioners. The police also seized two



unnumbered motorcycle from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioners submitted that the Chowkidar has inimical term with the petitioners and he has falsely implicated the petitioners in the present case that they were involved in illicit trade of liquor. The said liquor has been recovered from a bamboo clamp, which is the open place and accessible to anyone. Learned counsel further submitted that the petitioners have no concern with the seized unnumbered motorcycle in any manner.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the FIR and the seizure list, I find that two unnumbered motorcycles were seized and the prosecution has not given any details regarding the owner of the said motorcycles. In such circumstances, learned District Court is directed to obtain a report from the District Transport Officer concerned within a period of two weeks without fail in respect of the unnumbered motorcyces and verify on the basis of Chassis Number, Engine Number and Registration Number as to whether the the said motorcycles belong to the petitioners or they are stolen one and if the same



are not found to be registered in the name of the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail in connection with Bairiya P.S.Case No.200 of 2025, subject to conditions as laid down under Section 482(2) of BNS and the other terms and conditions as the learned district court deems fit and proper.

7. With the above observation/direction, the present bail application stands disposed of.

(Purnendu Singh, J)

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