

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63671 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- RAHIKA District- Madhubani

1. Manoj Mahto S/o Late Lakhindar Mahto R/o vill - Sapta, Parvati Tol, P.s.-
Rahika, Distt.- Madhubani
2. Manish Yadav S/o Ramswgarth Yadav R/o vill - Sapta, Parvati Tol, P.s.-
Rahika, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

Mr. Arun Kumar, Advocate

Ms. Archana Aanand, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Bhavesh Kumar Sah, along with Mr. Arun Kumar and Ms. Archana Aanand, learned counsels appearing on behalf of the petitioners and Ms. Renuka Ratnakar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rahika P.S. Case No. 176 of 2025 registered for the offence punishable under Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 89.7 litres of



illicit liquor was recovered from one scooty bearing Reg. No.BR32AS4903, one motorcycle bearing Reg. No.BR32AW7653 and nearby Orchard.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioner are innocent and they have been falsely implicated in the case. They have no concern either with the seized liquor or trade of liquor in any manner. A local *Chowkidar*, due to enmity, has identified the petitioners to be accused, involved in the illicit sale of illicit liquor. Total 44.7 liters illicit liquor was recovered from one scooty bearing Reg. No.BR32AS4903 and one motorcycle bearing Reg. No.BR32AW7653, which were parked in open space near road side, in front of the house of co-accused and about 45 liters was recovered in a plastic bag nearby orchard (Total 89.7 liters illicit liquor). The petitioners have clean antecedent. On these grounds, petitioners seek 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 petitioners, as well as, the fact that altogether 89.7 litres of illicit liquor was recovered from one scooty bearing Reg. No.BR32AS4903 and one motorcycle bearing Reg.



No.BR32AW7653., learned District Court is directed to verify from the District Transport Officer concerned in respect of the seized vehicles on the basis of Registration No., Engine Number and Chassis Number, as to whether, the same is registered in the name of the petitioners?

7. In case, the same is registered in the name of the petitioners and are not stolen and the vehicles were being driven by some other persons, the petitioners cannot be held responsible for the said act of the co-accused. In that case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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 District Court where the case is pending, in connection with Rahika P.S. Case No. 176 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 petitioners and if it is found that the petitioners are 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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