

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63293 of 2025

Arising Out of PS. Case No.-882 Year-2024 Thana- Excise P.S. District- Kishanganj

Rambalak Rai @ Ram Balak Ray, male, aged about 53 years, Son of Late Rajpati Rai, Resident of Village- Hasanpur Jitwarpur, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Shashank Shekhar, learned counsel appearing on behalf of the petitioner and Mr. Jai Narain Thakur, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Excise P.S. Case No. 882 of 2024 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 540 litres of illicit foreign liquor from a pick-up van bearing Registration No. BR33GB7237 registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been implicated in the present case on the basis of confessional statement made by co-



accused Sonu Kumar Yadav. Petitioner is the owner of the pick-up van bearing Registration No. BR33GB7237, however, he has no concern with the alleged seized liquor nor he is involved in trade of illicit liquor in any manner. 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 to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, I find that the learned District Court under such circumstances is required to verify from the District Transport Officer, Kishanganj, whether the vehicle is stolen one on the basis of Registration No. BR33GB7237, Engine number and Chassis No. MAT535093NYP57019.

7. If it is found that the vehicle is registered in the name of the petitioner and is not a stolen one on the basis of report of District Transport Officer, Kishanganj, then in that case, 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned District Court where the case is pending, in connection with Excise P.S. Case No. 882 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The District Transport Officer concerned is directed to furnish the report before the learned District Court well within a period of two weeks. In case of failure, the learned District Court can proceed against the District Transport Office in accordance with law.

9. Communicate a copy of this order to the District Transport Officer, Kishanganj and the District Collector, Kishanganj.

10. 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.

11. The present bail application is disposed of.

(Purnendu Singh, J)

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