

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63203 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Gorakh Kumar @ Rakesh Kumar, aged about 30 Years, Male, Son of Late
Om Prakash Mandal, Resident of Chunabhatti, Kangwa Gumti Ward No.- 14,
Laxmi Sagar, P.S.- Sadar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Saurav Anand, learned counsel appearing

on behalf of the petitioner and Mr. Shyameshwar Dayal, learned

APP for the State.

2. At the outset, learned counsel appearing on behalf
of the petitioner seeks to delete Annexures- 2 and 3 to the bail
application as due to misinformation given by the *pairvikaar* of
the petitioner, the same has been brought on record.

3. Permission is accorded.

4. The petitioner seeks pre-arrest bail in connection
with Sadar P.S. Case No. 154 of 2025 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act as amended up-to-date.

5. Allegation is of recovery of 356.400 litres of



country-made liquor from near the boundary wall of mango orchard of one Vijay Jha.

6. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. Name of the petitioner has been disclosed by local people. Petitioner has no concern with the seized liquor nor he is involved in trade of liquor in any manner. The place of recovery is the boundary wall of mango orchard, which is an open place and is easily accessible to anyone. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

8. Considering the fact that the recovery of 356.400 litres of country made liquor from near the boundary wall of mango orchard of one Vijay Jha, which is an open place and easily accessible to any one, 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 Sadar P.S. Case



No. 154 of 2025, subject to the condition as laid down under
Section 482(2) of the BNSS.

9. 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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