

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63537 of 2025

Arising Out of PS. Case No.-1007 Year-2024 Thana- BIHTA District- Patna

Ajay Rai Son of Vasudev Ray @ Basdev Rai Resident of Village - Amnabad
Katesar, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Ashok Kumar Sinha, learned counsel

appearing on behalf of the petitioner and Ms.Asha Devi, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bihta P.S. Case No. 1007 of 2024 registered for the
offence(s) punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 180 litres of
illicit liquor was recovered from a tempo bearing registration
No.BR01PF5284 and three co-accused persons along with the
driver of the said tempo were caught from the tempo.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Admittedly, at the time of



the alleged seizure and recovery of illicit liquor, petitioner was not present and he has been made accused in this case, being the owner of the tempo in question, which was given by the petitioner to his driver/co-accused/Om Prakash Kumar and the same was being driven by him at the time of said incidence and, as such, the petitioner had no idea that he was carrying liquor along with other co-accused on the said tempo. Petitioner has no concern with the seized liquor. Petitioner has clean antecedent.

5. Learned APP for the State 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 allegation made in the FIR and also the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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 Concerned Court where the case is



pending in connection with Bihta P.S. Case No. 1007 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned 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 paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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