

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68205 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- SIMRI District- Buxar

Rambhu Yadav Son of Shivjee Yadav Resident of Village-Kanspura Diyara
Ballia, P.S.- Ballia Town, District- Ballia, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-10-2025 Heard Mr. Anand Kumar Ojha, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Simri P.S. Case No. 115 of 2025 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. As per the allegation made in the FIR, 259.2 litres
of foreign liquor was recovered from a vehicle bearing
Registration No.UP78CE4643, Engine No.M16AN2034303,
Chassis No.MA3EFJC1500173963, which was parked near the
road.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has been



falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. Learned counsel submitted that the petitioner has been made accused on the basis of sale agreement in respect of the vehicle bearing Registration No.UP78CE4643, Engine No.M16AN2034303, Chassis No.MA3EFJC1500173963, which has not yet been transferred in his name. The vehicle was parked near the road and the allegation made in the FIR is ornamental in nature. The 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.

6. In view of the said, I find it proper to direct the learned District Court to verify the owner of the vehicle from the District Transport Officer, Buxar on the basis of Registration No.UP78CE4643, Engine No.M16AN2034303, Chassis No.MA3EFJC1500173963 and if it is found that the vehicle is not registered in the name of the petitioner or the alleged sale deed which was recovered at the time of seizure, any action has been taken by the District Transport Officer in respect of proper transfer of vehicle in the name of the petitioner, then in that case the petitioner cannot be said to be the legal owner of vehicle on



mere agreement of sale, who can be taken to face prosecution.

7. The learned District Court, after verifying the report of the District Transport Officer and material on record, may proceed to grant anticipatory bail to the petitioner, if the petitioner is found to be nowhere connected with the alleged offence and may pass a fresh order in accordance with law, without being prejudiced by his earlier order dated 04.08.2025.

8. Till the learned District Court passes a fresh order, no coercive steps shall be taken against the petitioner in the aforesaid case.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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