

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68526 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- ASANWA District- Siwan

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Vishal Rajbhar @ Vishal Kumar Rajbhar Son of Umesh Rajbhar, Resident of
Village - Sumerpur, Bishunpura, P.S. - Mairwa, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Asawn PS Case No.55 of 2025, registered for the offences
punishable under 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 90 ltrs.
of illicit liquor has been recovered from the sack kept on the
motorcycle.

4. Learned counsel appearing on behalf of the
petitioner submitted that the motorcycle from which the illicit
liquor has been recovered is not registered in the name of the
petitioner nor it is a stolen motorcycle and in support of the
same, specific statement has been made in paragraph no.7 of the
bail application. Learned counsel further submitted that the



motorcycle in question does not belong to the petitioner.
Petitioner has clean antecedent.

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

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 obtain a report from the District Transport Officer concerned, who is to provide report within one week to verify as to whether the motorcycle in question is registered in the name of the petitioner and not stolen one and if it is found that the motorcycle is not registered in the name of the petitioner and it is not stolen one, then in that case, the petitioner, above named, be released on pre-arrest bail in connection with Asawn P.S.Case No.55 of 2025 pending before the court of the learned Exclusive Special Judge, Excise Court No.1, Siwan, subject to the conditions as laid down under Section 482(2) of the BNSS and the other terms and conditions as the learned district court deems fit and proper.

7. 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 Para-3 of the bail petition, this order will automatically



lose its force.

8. The present bail application stands disposed of.

(Purnendu Singh, J)

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