

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67537 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- LADANIA District- Madhubani

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Rahul Kumar @ Rahul Kumar Bharti S/O Ramshankar Bharti @ Ram
Shankar Bharti R/O Village - Ward No.- 10, Kasma Marar, Bhakua, P.S.-
Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Pallavi, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-09-2025 Heard Ms. Kumari Pallavi, learned counsel

appearing on behalf of the petitioner and Ms. Rita Verma,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ladaniya P.S. Case No. 223/2025 registered for the
offence(s) punishable under Sections 274, 275 and 3(5) of the
BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 12 litres of
illicit liquor was recovered from a motorcycle bearing
Registration No. BR32AR 7292 and another motorcycle bearing
Registration No.BR32AJ4761 was also seized and two co-
accused persons were apprehended from the spot. Petitioner is
said to be owner of motorcycle bearing Registration



No.BR32AJ4761.

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 motorcycle bearing Registration No.BR32AJ4761, from which there is no recovery of illicit liquor. Petitioner has no concern with the seized liquor. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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 Ladaniya P.S. Case No. 223/2025, 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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