

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71281 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- MALAHI District- East Champaran

Krishna Kumar S/O Chhathu Yadav @ Chhatu Yadav Resident of Village -
Chatiya Diyar, Police Station- Malahi, District - East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-10-2025 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 Malahi PS Case No.88 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 7.920 english liquor has been recovered from a Motorcycle bearing Registration No.BR22R1695. Name of the petitioner has been disclosed by the apprehended accused person.

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 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 Malahi P.S.Case No.88 of 2025 pending before the court of the learned Special Judge, Excise Court No.1, East Champaran, Motihari, 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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