

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70289 of 2025**

Arising Out of PS. Case No.-509 Year-2025 Thana- ARA NAWADA District- Bhojpur

1. Rahul Kumar, son of Ram Niwash Yadav @ Ram Niwas Yadav@ Ram Niwas Singh Resident of Village - Asani, Police Station - Udwant Nagar, District - Bhojpur at Ara.
2. Guddu Kumar, son of Ram Niwash Yadav @ Ram Niwas Yadav Resident of Village - Asani, Police Station - Udwant Nagar, District - Bhojpur at Ara.

... .. 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. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      14-10-2025                      Heard Mr. Shashank Shekhar, learned counsel appearing on behalf of the petitioner and Mr. Gauri Shankar Gupta, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Nawada P.S. Case No. 509 of 2025 registered for the offence(s) punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 90 litres of illicit liquor was recovered from a Tempo bearing Registration No. BR01PR-4062.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. It is further submitted that the tempo in question is neither a stolen one, nor the same is owned by the petitioners, rather the vehicle belongs to one Anil Kumar, who was apprehended on the spot. Names of the petitioners have surfaced in this case on the basis of confessional statement of co-accused and confessional statement made before police has no evidentiary value. Petitioner no.1 has one criminal antecedent, while petitioner no.2 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, having perused the allegation made in the FIR, the learned District Court is directed to verify the ownership of the vehicle, which according to the petitioners belongs to apprehended co-accused Anil Kumar. **If it is correct then in that case, the petitioners, above named, are directed to be released on pre-arrest bail,** in the event of their arrest or surrender before the learned District Court within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court



where the case is pending in connection with Nawada P.S. Case No. 509 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are 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.

8. The bail application stands disposed of.

**(Purnendu Singh, J)**

Sanjay/-

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