

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68535 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- DURAULI District- Siwan

Lalit Kumar Mishra, Male, aged about 22 years, S/O Devendra Mishra
Resident of vill-Manpur Pateji PS- Asaon Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Ms. Kumari Anupam, learned counsel

 appearing on behalf of the petitioner and Mr. Kanhiya Kishor,

 learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Darauli P.S. Case No. 178 / 2025 registered for the
offence(s) punishable under Sections 30(a), 41(i) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 21 litres of
illicit liquor was recovered from a Scooty bearing registration
No.BR29BE4816, belonging to the petitioner.

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 Scooty in question, which was given by the petitioner to his friend in good faith and the same was being driven by him at the time of said incidence and as such the petitioner had no idea that he was carrying liquor on the said motorcycle. Petitioner 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 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 Darauli P.S. Case No. 178 / 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)

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