

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69412 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- AURAI District- Muzaffarpur

1. Raushan Kumar @ Raushan Sahni @ Raushan Chaudhari S/O Lakhan Sahni @ Lakhan Chaudhari Resident of Village- Dhasna, Police Station- Aurai, District- Muzaffarpur
2. Ranjit Kumar @ Ranjit Sahni S/O Sitaram Sahni Resident of Village- Dhasna, Police Station- Aurai, District- Muzaffarpur
3. Brij Kumar @ Brijkishor Sahni @ Brajkishor Sahni S/O Sitaram Sahni Resident of Village- Dhasna, Police Station- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-10-2025 Heard Mr. Nilendu Kumar Choudhary, learned counsel appearing on behalf of the petitioners and Ms. Asha Devi, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Aurai P.S. Case No. 165 of 2025 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per the allegation made in the FIR, the allegation is of recovery of 250.56 litres of illicit foreign liquor from the Bolero bearing Reg. No. BR07PA5888.

4. Learned counsel for the petitioner submits that the petitioners are innocent and they have been falsely implicated in



this case. It is submitted that nothing has been recovered from conscious possession of the petitioners. Petitioners are neither owner nor driver of the seized Bolero. The petitioners have been made accused only on the basis of confessional statement of apprehended person namely, Amarnath Chaudhary. One accused has already been granted pre-arrest bail by this Court *vide* order dated 24.09.2025 passed in Cr. Misc. No.66987 of 2025. On these grounds, the petitioners seek 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, having perused the allegation made in the FIR, the learned District Court is directed to call for a report from the District Transport Officer concerned with respect to the actual owner of the vehicle in question. In that case, the District Transport Officer is directed to submit the report before the learned District Court well within a period of one week. On the basis of report, the learned District Court is directed to verify, as to whether, the vehicle is a stolen one or not and whether it is not registered in the name of either of the petitioners. **If it is found that the vehicle is not registered in**



the name of either of the petitioners and not a stolen one, 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 the learned District Court where the case is pending in connection with Aurai P.S. Case No.165 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. Further, it is made clear that in case it is found that the vehicle in question is stolen one, then in that case also, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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