

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70182 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- JAYNAGAR District- Madhubani

Rajesh Kumar Son of Late Kishundev Sahni Resident of Village - Dastol,
Ward No.- 13, Jaynagar, P.S.- Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-10-2025 Heard Mr. Shailendra Kumar Jha, learned counsel

appearing on behalf of the petitioner and Ms.Gulnar Begum,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jaynagar P.S. Case No. 268/2025 registered for the
offence(s) punishable under Sections 274, 275, 317(5) of BNS
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 45 litres of
illicit liquor was recovered from a Scooty bearing Registration
No. BR32AT-3035, allegedly 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 vehicle in question, which was given by the petitioner to co-accused Vikky Roy 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.

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, 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 Jaynagar P.S. Case No. 268/2025, 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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