

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68528 of 2025

Arising Out of PS. Case No.-321 Year-2020 Thana- UCHKAGAON District- Gopalganj

Mantosh Kumar S/o Surendra Ram R/o Village- Indrawa Baidullah, P.S.-
Gopalganj Nagar, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-10-2025 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 Uchkagaon PS Case No.321 of 2020, registered for the offences punishable under 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 59 ltrs. of Indian-made foreign liquor has been recovered from a Bolero bearing Registration No.BR29F 9340.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has criminal antecedent of one case, which is of similar nature but the petitioner has not entered into the crime of the smuggling and sale of the illicit liquor in the State of Bihar. Learned counsel further submitted



that because of a criminal case pending against the petitioner, he has been roped in the present case. He further informs that the vehicle is not registered in the name of the petitioner nor it is stolen one. On these grounds, the learned counsel submitted that in absence of any complicity of the petitioner in the alleged offence, he deserves 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 as, considering the fact that the petitioner claims that he is not the owner of the vehicle nor he is connected in any manner with the seized liquor, 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 vehicle in question is registered in the name of the petitioner and not stolen one and if it is found that the vehicle 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 Uchakagaon PS Case No.321 of 2020, pending before the court of the learned Additional Sessions Judge XIII cum Special Judge, Excise Court No.I,



Gopalganj, 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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