

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68525 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- HARPUR District- East Champaran

Duna Pandit S/O Rajendra Pandit R/O Vill.- Nayaka Tola, Harpur, East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 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 Harpur P.S.Case No.95 of 2025, registered for the offences
punishable under 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 10.440
ltrs. of Nepali country-made liquor has been recovered from a
motorcycle bearing registration No.BR05Y 2524, which was
parked beneath the bridge.

4. Learned counsel appearing on behalf of the
petitioner submitted that the motorcycle in question belongs to
the father of the petitioner and it is alleged that the recovery is
from the motorcycle parked beneath the bridge, which is the
open place and accessible to anyone.



5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties, as well as, considering the fact that the recovery of illicit liquor has been made from a motorcycle, parked beneath the bridge, which is the open place and accessible to any one, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, East Champaran, Motihari in connection with Harpur P.S.Case No.95 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

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 paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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