

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72535 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- DANAPUR RAIL P.S. District- Patna

Kamlesh Chaudhari S/o Late Balram Chaudhari R/o Village- Rajashwagram,
Hardaspur, P.O.- Hardaspur, P.S.- Rupaspur, District- Patna, Pin- 801105

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumod Kumar Shrivastaw, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Rail Danapur P.S.Case No.70/2025, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 26.6250 ltrs. of *illicit* liquor has been recovered from the bags, which was being loaded on a Scooty bearing Registration No.BR 01BY 8678.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case.

5. Learned APP for the State has vehemently opposed



the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, I find that the learned District Court under such circumstances is required to obtain report from the District Transport Officer concerned whether the Scooty in question is registered in the name of the petitioner and not stolen one and if it is found that the Scooty is not registered in the name of the petitioner and it is not stolen one or in alternative, the petitioner may produce the relevant papers to show that the motorcycle is not stolen one, then in that case, let the petitioner, above named, 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 the learned Special Judge Excise Court, Danapur in connection with Rail Danapur PS Case No.70/2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The 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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