

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70128 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- Excise P.S. District- Kishanganj

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Faiju Rahman @ Fajlu Rahman @ Fajlu S/o Shokat Ali @ Saokat Ali R/o
Village- Chakla, Ghoramora, PS- Kishanganj, Distt.- Kishanganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate.
For the Opposite Party/s : Mr.Narsingh Tanti, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-10-2025 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 Kishanganj Utpad P.S. Case No. 89 of 2025 registered for
the offence punishable under Sections 30(a)/32(3) of the Bihar
Prohibition and Excise Act.

3. Allegation is of recovery of 7.050 litres of IMFL
and 2.4 litres of country made liquor from a motorcycle bearing
Registration No. BR37S4582 near the check post in the District
of Kishanganj which is near West Bengal.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case. He has no concern either with the seized liquor or
trade of liquor in any manner. Petitioner is the owner of the said
motorcycle and he had given his motorcycle to his friend and he



had no knowledge that his motorcycle will be misused for carrying liquor.

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 and the fact that the motorcycle from which liquor was recovered was being driven by his friend and nothing has been recovered from the possession of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below 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 District Court where the case is pending in connection with Kishanganj Utpad P.S. Case No. 89 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) 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 bail application stands disposed of.

(Purnendu Singh, J)

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