

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71288 of 2025

Arising Out of PS. Case No.-205 Year-2019 Thana- OBRA District- Aurangabad

Santosh Yadav @ Santosh Singh S/O Dukhharan Yadav R/O Vill.- Kadiyahi,
P.S.- Obra, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-10-2025 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 Obra P.S.Case No.205 of 2019, GR NO.815 of 2019, registered for the offences punishable under 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total 41 ltrs. of foreign liquor has been recovered from a motorcycle bearing Registration No.BR26F 7504. The petitioner who was riding on the said motorcycle fled away from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner submitted that the motorcycle from which the illicit liquor has been recovered is not registered in the name of the petitioner and in support of the same, specific statement has



been made in paragraph no.12 of the bail application.

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

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 a report from the District Transport Officer concerned, who is to provide report within one week to verify as to whether the motorcycle in question is registered in the name of the petitioner and not stolen one and if it is found that the motorcycle 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 Obra P.S.Case No.205 of 2019, GR No.815 of 2019 pending before the court of the learned Special Judge of Excise II, Aurangabad, 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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