

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72673 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- Sinha District- Bhojpur

Rakesh Kumar Singh, Male, aged about 41 years, Son of Late Udhari Singh,
Resident of Village - Laxmipur, P.S.- Sinha, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
Ms. Drishti Mohan, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2025

Heard Ms. Drishti Mohan, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sinha P.S. Case No. 44 of 2025 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of altogether 30 litres of illicit from a motorcycle bearing Registration No. BR03M-2501.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the present case. The motorcycle bearing Registration No.



BR03M-2501 from which allegedly 30 litres of illicit liquor was recovered, belongs to the petitioner, however, the petitioner had given the said motorcycle to co-accused Santosh Kumar Yadav to attend marriage ceremony and he had no knowledge that his motorcycle is being misused for carrying illicit liquor. Petitioner has no concern with the alleged seized liquor nor he is involved in trade or manufacturing of illicit liquor in any manner. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, learned District Court is directed to obtain a report from the District Transport Officer concerned in respect of motorcycle bearing Registration No. BR03M-2501, Chassis No. ME4JC583DD8267963 and Engine No. JC58E81266489, and in case, on the basis of Chassis Number, Engine Number and Registration Number, it is found that the motorcycle is registered in the name of the petitioner and is not a stolen one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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 District Court where the case is pending, in connection with Sinha P.S. Case No. 44 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The District Transport Officer concerned is directed to furnish above report before the learned District Court well within a period of one week. In case of failure, the learned District Court can proceed against the District Transport Officer in accordance with law.

8. Communicate a copy of this order to the District Transport Officer, Bhojpur at Ara and the District Collector, Bhojpur at Ara.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

10. The present bail application is disposed of.

(Purnendu Singh, J)

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