

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72670 of 2025

Arising Out of PS. Case No.-503 Year-2025 Thana- WAJIRGANJ District- Gaya

Sanjay Sao @ Sanjay Saw S/o- Ganauri Sao Village- Chanda Khurd P.S-
Wazirganj District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate.

For the Opposite Party/s : Mr.Kanhiya Kishor, 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 Wazirganj P.S. Case No. 503 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 100 litres of country made liquor from a motorcycle bearing no registration number and torn out chassis number and engine number JA06ERKGM23960 and 150 litres of country made liquor from nearby bushes.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the present case due to enmity by the co-villagers. Petitioner



is neither the owner nor the driver of the motorcycle in question. Petitioner has no concern either with the seized liquor or the trade of liquor in any manner. Petitioner has clean antecedent. 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. Having considered the rival submissions made on behalf of the parties, I find that the learned District Court under such circumstances is required to verify from the District Transport Officer, Gaya, whether the motorcycle in question is stolen one on the basis of the Engine No. JA06ERKGM23960.

7. If it is found that the motorcycle in question is stolen one, then the petitioner be taken into custody forthwith and if it is found that the motorcycle in question is not registered in the name of the petitioner and is not a stolen one on the basis of report of District Transport Officer, Gaya, then in that case, the petitioner, above named, 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) each with two sureties of the like amount each to the satisfaction



of the learned District Court where the case is pending, in connection with Wazirganj P.S. Case No. 503 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

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

9. Communicate a copy of this order to the District Transport Officer, Gaya and the District Collector, Gaya.

10. 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.

11. The present bail application stands disposed of.

(Purnendu Singh, J)

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