

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72591 of 2025

Arising Out of PS. Case No.-227 Year-2025 Thana- MEHSI District- East Champaran

Vikash Kumar S/o Late Satyanarayan Prasad @ Satyanarayan Bhagat R/o
Village- Bathna, P.S.- Mehshi, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2025 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 Mehshi PS Case No.227 of 2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is that 101.880 ltrs. of foreign liquor has been recovered from the abandoned bathroom.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioner is not involved in either sale or consumption of the liquor. Learned counsel further submitted that the place of recovery is open place, which is accessible to anyone. Petitioner has clean antecedent.



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

6. Having considered the rival submissions of the parties, as well as, the place of recovery is open place, which is accessible to anyone, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the district court 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 Special Excise Judge III, East Champaan at Motihari in connection with Mehsi P.S.Case No.227 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

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 paragraph No.3 of the bail application, this order will automatically lose its force.

8. The District Magistrate, Motihari, Superintendent of Police, Motihari and the Excise Superintendent, Motihari are directed to submit a joint report for their failure not to implement the prohibition within their jurisdiction before the



Chief Secretary of the Bihar so that he may take necessary steps
in accordance with law.

9. Let copies of this order be communicated to the
District Magistrate, Motihari, Superintendent of Police,
Motihari and the Excise Superintendent, Motihari.

(Purnendu Singh, J)

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