

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82635 of 2025

Arising Out of PS. Case No.-763 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Raghubir Sahani, aged about 41 years, Male, Son of Surendra Sahni R/o
Village- Ismailpur, P.S.- Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-12-2025 Heard Mr. Subhash Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Manoj Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Hajipur Sadar (Kajipur) P.S. Case No. 763 of 2025
registered for the offence(s) punishable under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 125 litres
of illicit liquor was recovered from the bank of a river.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. He further submitted that
recovery of illicit liquor has been made from the bank of a river,
which is an open space and is easily accessible by anyone.



Petitioner has no concern either with the place of recovery or with the alleged recovered liquor.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and also the fact that recovery of illicit liquor has been made from an open space, which is easily accessible by anyone, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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 learned Concerned Court where the case is pending in connection with Hajipur Sadar (Kajipur) P.S. Case No. 763 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. 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.

9. Before parting with the order, I direct the Superintendent of Police concerned to submit his report forthwith to the Chief Secretary, Government of Bihar and the Director General of Police (D.G.P.), Bihar, giving reason, as to why, he has failed to implement prohibition within his jurisdiction.

(Purnendu Singh, J)

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