

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86036 of 2025

Arising Out of PS. Case No.-483 Year-2025 Thana- CHAKIA District- East Champaran

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Bishal Kumar @ Vishal Kumar, aged about 30 years (M), Son of Birendra Chaudhary @ Virendra Chaudhary @ Virendra Chaudhari, Resident of village - Shanti Nagar, P.S.- Chakia, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

Ms. Harsh Shashwat, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-12-2025 Heard Mr. Abhishek Kumar along with Ms. Harsh Shashwat, learned counsels appearing on behalf of the petitioner and Mr. Lakshmi Kant Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Chakia P.S. Case No. 483 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, 34.56 litres of illicit liquor was recovered from a sack, allegedly thrown by the petitioner after seeing the police party.

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 roadside, 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 the 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 /Chakia P.S. Case No. 483 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.

(Purnendu Singh, J)

Sanjay/-

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