

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87955 of 2025**

Arising Out of PS. Case No.-449 Year-2025 Thana- KONCH District- Gaya

Rajesh Kumar S/o Radho Yadav Resident of Village- Chorwa Rampur, P.S.-  
Konch, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      22-12-2025                      Heard Mr. Sunil Kumar Yadav, learned counsel  
  
appearing on behalf of the petitioner and Mr. Pradeep Narain  
  
Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Konch P.S. Case No. 449 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 50 litres of country-  
made liquor from motorcycle having Chassis  
No.MBLHA10A8EGE02024                      and                      Engine  
No.HA10ENEGE05033.

4. Learned counsel appearing on behalf of the  
petitioner submits that the petitioner has been falsely implicated  
in the present case. Petitioner has no concern with the seized



liquor nor he is involved in trade of liquor in any manner. Name of the petitioner has surfaced in course of investigation because petitioner is the owner of the motorcycle, however, nothing incriminating has been recovered from the possession of the petitioner. 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, as well as, considering the fact that the recovery of 50 litres of country-made liquor has been made from motorcycle having Chassis No.MBLHA10A8EGE02024 and Engine No.HA10ENEGE05033 and petitioner is the owner of the said motorcycle but he has not given the Registration number though nothing incriminating has been recovered from the conscious possession of the petitioner, the learned District Court is directed to obtain report from the District Transport Office concerned and verify the real owner of the motorcycle in alleged crime. In case, the same is registered in the name of the petitioner and is not stolen and the vehicle was being driven by some other person, the petitioner cannot be held responsible for the said act of the co-accused. In that case, the petitioner, above



named, is directed to be released on pre-arrest bail, 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 Konch P.S. Case No. 449 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

**7. 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.**

8. The present bail application is disposed of.

**(Purnendu Singh, J)**

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