

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87939 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- Excise P.S. District- Araria

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Dinesh Kumar Agarwal Son of Shyam Kumar Agrawal Prop. D.K.Trading
Co. User D.K.R. Agrawal Resident of Marketing Yard Shop S.K. Road Ward
No. 17 Forbesganj, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-12-2025 Heard Mr. Mukesh Kumar Rana, learned counsel

appearing on behalf of the petitioner and Mr. Dr. Kumar Uday
Pratap, learned APP for the State.

2. At the outset, Learned counsel appearing on behalf
of petitioner seeks to delete para-10 of the bail application in
course of the day.

3. He is permitted to do so.

4. The petitioner seeks pre-arrest bail in connection
with Araria Excise P.S. Case No. 318 of 2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016, as amended up-to-date.

5. As per the allegation made in the FIR, 18 litres of
illicit liquor was recovered from motorcycle bearing Reg. No.



BR38K-4791, which was found near main road of NH-57.

6. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. The petitioner is not named in the FIR and his name has been transpired in this case in the course of investigation as he is the owner of the seized motorcycle, however, nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

8. Having considered the rival submissions made on behalf of the parties, as well as, perusing the allegation made in the FIR petitioner is not named in the FIR and his name has been transpired in this case in the course of investigation as he is the owner of the seized motorcycle, however, nothing incriminating has been recovered from the conscious possession of the petitioner, the petitioner having clean antecedent, 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 District Court where the case is pending/successor court in connection with Araria Excise P.S. Case No. 318 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C./482 of the BNSS.

9. 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.

(Purnendu Singh, J)

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