

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4638 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- BAHERA District- Darbhanga

1.

Raushan Thakur @ Roushan Thakur @ Raushan Kumar Thakur, Male, Aged about 36 years, Son of Kishore Thakur
2.

Natwar Jha @ Karia @ Natwar Kumar Jha, Male, Aged About 38 years, Son of Manikant Thakur @ Manikant Jha, Both Resident of Village - Mahiname, P.S - Bahera, District - Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

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19-02-2025

Heard Mr. Vinay Kumar Mishra, learned counsel appearing on behalf of the petitioners and Mr. Sangeeta Sharma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bahera P.S. Case No. 408 of 2024, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether 249.645 litres of illicit liquor was recovered from a Bolero pick-up van bearing Registration No. BR-07-GC0761 and from a Splendor Motorcycle bearing Registration No. BR-07-AN-5850.

4. Learned counsel appearing on behalf of the



petitioners submits that the petitioners have been falsely implicated in the present case. Petitioners have no concern with the alleged seized liquor or with the vehicles, from which the illicit liquor was recovered, nor they are involved in trade of illicit liquor in any manner. Petitioners have 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 and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Learned District Court is directed to verify, whether the Bolero pick-up van bearing Registration No. BR-07-GC0761 and the Splendor Motorcycle bearing Registration No. BR-07-AN-5850, from which illicit liquor has been recovered, are registered in the name of the petitioners. If it is found that the aforesaid vehicles are not registered in the name of the petitioners, the petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge II (Excise Act), Darbhanga, in connection with Bahera P.S. Case No. 408 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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