

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8339 of 2026

Arising Out of PS. Case No.-1409 Year-2025 Thana- Excise P.S. District- Sitamarhi

Rahul Kumar (M) aged about- 25 Yrs, Son of Ram Ishwar Singh, resident of
Village - Lauhadih, Ward no - 07, P.S.- Dumra, District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2026 Heard Mr. Devendra Kumar, learned counsel
appearing on behalf of the petitioner and Mrs. Asha Devi,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sitamarhi Excise P.S. Case No. 1409 of 2025 registered for
the offence punishable under Sections 30 (a) and 32 (c) of the
Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 360 litres of Nepali
Saufi smuggled liquor from a vehicle bearing Registration No.
BR-30P-2200 registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the present case. The name of the petitioner has surfaced on
the basis of confessional statement made by co-accused (driver)



Navin Kumar. Petitioner has no concern with the alleged seized liquor nor he is involved in trade or manufacturing of illicit liquor in any manner. The petitioner had no knowledge that his vehicle is being misused for carrying illicit liquor. Petitioner denied his complicity in the alleged offence. 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. Considering the rival submissions made on behalf of the parties, as well as, the fact that the name of the petitioner has surfaced on the basis of confessional statement made by co-accused (driver) Navin Kumar, the petitioner had no knowledge that his vehicle is being misused for carrying illicit liquor and the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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 the learned District Court where the case is pending, in connection with Sitamarhi Excise P.S. Case No. 1409 of 2025, subject to the condition as laid down under



Section 482(2) of the BNSS.

7. The State must ensure that the petitioner is taken to Rehabilitation Centre for proper care of his health and to save young generation of the State of Bihar, who have fallen in trade/consumption of illicit liquor containing *Urea*, which is injurious to health.

8. Let a copy of this order be communicated to the Chief Secretary, Government of Bihar, as well as, the Superintendent of Police and District Magistrate of the concerned district.

9. The present bail application is disposed of.

(Purnendu Singh, J)

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