

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8246 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- LAKHAURA District- East Champaran

Nepali Rai @ Nawalkishore Rai S/o Late Jirjodhan Rai R/o Village -
Laxmipur, P.S - Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2026 Heard Mr. Rajesh Ranjan, learned counsel
appearing on behalf of the petitioner and Mr. Shyam Bihari
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Lakhaura P.S. Case No. 306 of 2025 registered for the
offence(s) punishable under Sections 30(a), 32 and 41(1) of the
Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 50 litres of
illicit liquor was recovered behind the house of the petitioner.

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 behind the house of the
petitioner, 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 the fact that recovery of illicit liquor has been made behind the house of the petitioner, which is an open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, 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 Lakhaura P.S. Case No. 306 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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