

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10487 of 2026**

Arising Out of PS. Case No.-697 Year-2025 Thana- DAUDNAGAR District- Aurangabad

1. Arun Kumar S/o- Santu Yadav Village- Mahadeva PS-Obra District- Aurangabad Bihar
2. Dinesh Kumar S/o- Santu Yadav Village- Mahadeva PS-Obra District- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Rupa Kumari, Advocate.

For the Opposite Party/s : Mr.Choubey Jawahar, APP.

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

3      23-04-2026                      Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Daudnagar P.S. Case No. 697 of 2025 registered for the offence punishable under Sections 191(2), 190, 115(2), 118(1), 109, 121 and 132 of BNS.

3. On 06/11/2025 at about 3:50 A.M., police party received information about illicit liquor being transported on motorcycles and proceeded to Daudnagar Chauram Pool. They intercepted three motorcycles, apprehended Arun Kumar and Dinesh Kumar, and recovered 35 liters of illicit country-made liquor from two motorcycles in presence of constables. The



accused were arrested and given seizure lists; however, while returning, 20–25 persons attacked the police team near the Patna-Aurangabad road over bridge, freed the accused, and injured several officers, including Constable Manjesh Kumar, after which the injured were treated and the case was registered.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have been falsely implicated in the case due to enmity. Petitioners have no concern either with the seized liquor or trade of liquor or the motorcycles in question in any manner. No police official has sustained any injury in the occurrence.

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

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the F.I.R., it transpires that the petitioners, in paragraph 3 of the bail application, have disclosed that they have been made accused in a similar case, being Obra P.S. Case No. 339 of 2023, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, and that on such basis they have also been implicated in the present case. This Court further finds that the alleged seizure is of 35 litres of illicit liquor. However, it is contended that no seizure



list was prepared at the spot, nor has any such document been made part of the F.I.R. The said aspect requires verification from the seizure list, if any, prepared in connection with the case. If, upon such verification, it is found that only 35 litres of illicit liquor was recovered, the same may indicate a failure on the part of the State officials to implement the law in its proper perspective. In the aforesaid facts and circumstances, this Court is of the considered view that the petitioners deserve to be enlarged on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending in connection with Daudnagar P.S. Case No. 697 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C / Section 482 (2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its



force.

9. The bail application stands disposed of.

**(Purnendu Singh, J)**

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