

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10270 of 2026

Arising Out of PS. Case No.-101 Year-2025 Thana- RAFIGANJ District- Aurangabad

Narayan Kumar S/o Bhim Chaudhary Resident of Village- Ramna, P.S.-
Sherghati, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sunita Devi W/o Shiv Shankar Chaudhary R/o Village Shiv Mandir
Sheikhpura , P.S. Sherghati, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 03-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rafiganj P.S. Case No. 101 of 2025 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2022.

3. Allegation is of recovery of 249.375 litres of
foreign liquor from a Toto bearing Chassis No.
M3HHMPBB24J045636.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner was granted anticipatory
bail vide order dated 23.09.2025 passed in Cr. Misc. No. 59082



of 2025, but the bail bond of the petitioner was not accepted because the information in respect of the owner of the vehicle was not verified. The petitioner claimed his innocence submitting that he is neither the owner nor the driver or passenger of the vehicle which was seized having Chassis No. M3HHMPBB24J045636.

5. In view of the above information given on behalf of the petitioner in the present application, the District Transport Officer, Aurangabad was directed to file counter affidavit giving the details of the owner of the vehicle on the basis of Chassis No. M3HHMPBB24J045636.

6. By filing counter affidavit, the District Transport Officer, Aurangabad and the District Magistrate, Aurangabad based on the above Chassis Number have informed that the Registration Number of the Vehicle is BR02RA4930 and the owner of the vehicle is Sunita Devi and in support thereof they have brought owner book of the vehicle on record.

7. Considering the above information, I find that the petitioner who was already granted anticipatory bail by this Court vide order dated 23.09.2025 has made out a case to be released on pre-arrest bail having found not the owner of the vehicle on which 249.375 litres of foreign liquor was recovered



and also the fact that the petitioner has claimed that he is also not the driver or passenger of the vehicle.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Aurangabad in connection with Rafiganj P.S. Case No. 101 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) 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.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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