

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20435 of 2026

Arising Out of PS. Case No.-396 Year-2025 Thana- PARSA District- Saran

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Dhanai Sah S/o- Mishri Sah R/v- Bankerwa Ps- Parsa Dist- Saran
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2026 Heard Ms. Mili Kumari, learned counsel appearing on behalf of the petitioner and Ms. Asha Devi, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Parsa P.S. Case No. 396/2025 registered for the offence(s) punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022 (as amended upto date).

3. As per the allegation made in the FIR, 120 litres of illicit made liquor was recovered from a tempo bearing Reg. No.BR04PA-7196 and petitioner is the owner of the said motorcycle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in the case. He has no concern either with the seized liquor or trade of liquor in any manner. The petitioner is



the owner of the tempo bearing Registration No. BR04PA-7196, but no incriminating material has been recovered from the conscious possession of the petitioner. 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.

6. Having heard the rival submissions made on behalf of the parties, as well as, upon perusal of the materials available on record, this Court finds that the petitioner is the owner of the tempo bearing Registration No. BR04PA-7196 but there is no incriminating material to indicate conscious possession of the petitioner. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Considering the nature of allegation made against the petitioner, 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 District Court where the case is pending/successor court in connection with Parsa P.S. Case No. 396/2025, subject to the condition as laid down under Section



438(2) of the Cr.P.C./482 of the BNSS.

8. 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.

(Purnendu Singh, J)

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