

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21315 of 2026

Arising Out of PS. Case No.-106 Year-2025 Thana- JITNA District- East Champaran

Rajan Kumar @ Rajan Yadav Son of Rambabu Rai Resident of Village -
Champapur, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2026 Heard Mr. Ajay Kumar Singh, learned counsel
appearing on behalf of the petitioner and Ms. Indu Kumari
Srivastava , learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jitna P.S. Case No. 106 of 2025 registered for the offence
punishable under Section 30(a) and 41(1) of the Bihar
Prohibition and Excise Act, as amended upto date.

3. As per the allegation made in the FIR, on a secret
information, the police intercepted a car and motorcycle
carrying illicit liquor, apprehended two accused while others
fled, and upon search recovered 180 litres and 9 litres of Nepali
liquor from the respective vehicles.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has been



falsely implicated in the case. The alleged recovery of Nepali liquor has no connection with the petitioner, and his name has surfaced only on the basis of disclosure made by the apprehended co-accused persons. The petitioner was neither arrested from the spot nor any recovery has been made from his conscious possession, and he is neither the owner nor the driver of the alleged vehicle. 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, having considered the allegations made in the FIR and the materials available on record, including the fact that the petitioner has not been apprehended at the place of occurrence, no recovery has been made from his conscious possession, and his name has surfaced only on the basis of disclosure made by the co-accused persons, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory 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 District Court where the case is pending/successor court in connection with Jitna P.S. Case No. 106 of 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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