

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20359 of 2026

Arising Out of PS. Case No.-102 Year-2026 Thana- KHAJEKALA District- Patna

Chhotu Kumar son of Khelari Rai @ Basant Rai @ Shiv Basant Yadav
Resident of village - Mittan Ghat, PS- Khajekalan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2026 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Khajekalan P.S.Case No.102 of 2026, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegations made in the FIR, the police seized 204 ltrs. of country-made liquor from the bank of river Ganga.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioner is not involved in either sale or consumption of the liquor. He further submitted that the recovery of the illicit liquor has been made from the bank of river Ganga, which is an open place and easily accessible to anyone. Learned counsel further submitted that the petitioner has no concern either with the seized liquor or from the place of



the recovery.

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

6. Having heard the rival submissions of the parties, as well as, having considered that the illicit liquor has been recovered the bank of river Ganga, which is the open place and accessible to anyone, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the district court 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 district court, where the case is pending in connection with Khajekalan P.S.Case No.102 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of BNSS.

7. 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)

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