

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20425 of 2026

Arising Out of PS. Case No.-362 Year-2025 Thana- Excise P.S. District- Bhojpur

Vir Kunwar @ Vir Kumar S/O Mohan Chaudhari R/O Village- Dewaich
Kundi, P.S.- Shahpur ,Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saumya, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-04-2026 Heard Mr. Saumya, learned counsel appearing on
behalf of the petitioner and Mr. Nand Kumar, learned APP
appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with (Sadar) Ara P.S. Case No. 362 of 2025 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016, as amended upto date.

3. As per the allegation made in the FIR, 105 litres of
illicit made liquor was recovered from a motorcycle bearing
Reg. No.BR03AR6391.

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 has



no concern with the alleged recovery of liquor and his implication is only on account of his being the registered owner of the motorcycle bearing Registration No. BR03AR6391. The said motorcycle was taken by two persons on the pretext of a medical emergency and the alleged recovery has not been made from the conscious possession of the petitioner. The petitioner has clean antecedent. 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 implication of the petitioner appears to be primarily on account of his being the registered owner of the motorcycle bearing Registration No. BR03AR6391, from which the alleged recovery has been made, and no recovery has been made from his conscious possession. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest 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 (Sadar) Ara P.S. Case No. 362 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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