

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29482 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- BYPASS District- Patna

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Raj Kumar @ Bichchi Lala Son of Parma Bind @ Parma Beldar Resident of
Mohalla- Sidhe Bazar, Bahri Begampur, Patna City, P.S.- Bypss, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kumar Chaudhary, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2026 Heard Mr. Shyam Kumar Chaudhary, learned
counsel appearing on behalf of the petitioner and Mr. Md.
Iftekhar Mahmood, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bypass P.S. Case No. 79 of 2026 registered for the
offence(s) punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 56 litres of
illicit liquor was recovered from a sack allegedly thrown away
by the petitioner after seeing the police party.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case merely on suspicion.



Learned counsel further submitted that recovery of illicit liquor has been made from the roadside, which is an open space and is easily accessible by anyone. Petitioner has no concern either with the place of recovery or with the alleged recovered liquor. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State 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 perused the allegation made in the FIR and the fact that recovery of illicit liquor has been made from the roadside, which is an open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that 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 Concerned Court where the case is



pending in connection with Bypass P.S. Case No. 79 of 2026,
subject to the conditions as laid down under Section 482(2) of
the BNSS.

8. 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)

Sanjay/-

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