

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29430 of 2026

Arising Out of PS. Case No.-62 Year-2026 Thana- GOVINDPUR District- Nawada

Badari Prasad @ Badri Prasad S/o Late Yamuna Prasad @ Jamuna Prasad
Resident of Village - Bari Gulni, P.S. - Pakaribarwan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2026 Heard Mr. Akhilesh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Anuj Kumar
Shrivastava, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Govindpur P.S. Case No. 62 of 2026 registered for the
offence(s) punishable under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 5.950 litres
of illicit liquor was recovered from a motorcycle bearing
Registration No.BR27T9477.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Admittedly, at the time of
the alleged seizure and recovery of illicit liquor, petitioner was



not present and he has been made accused in this case, being the owner of the motorcycle in question, which was given by the petitioner to his villager in good faith and the same was being driven by him at the time of said incidence and as such the petitioner had no idea that he was carrying liquor on the said motorcycle. Petitioner has clean antecedent.

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 I find that the petitioner has clean antecedent and he is the owner of the motorcycle. He was not found at the place of occurrence. The State too 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 Govindpur P.S. Case No. 62 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)

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