

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30248 of 2026

Arising Out of PS. Case No.-138 Year-2026 Thana- MUFFASIL District- West Champaran

Sandeep Kumar @ Sandip Kumar about 38 years (M) son of Yamuna Prasad @ Yamuna Sah, resident of Village - Lalgah, Police Station - Bettiah Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2026 Heard Mr. Brij Kishor Mishra, learned counsel
appearing on behalf of the petitioner and Mrs. Anita Kumari,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bettiah Muffasil P.S. Case No. 138 of 2026 registered for the offence punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 1.800 litres illicit liquor from a motorcycle bearing Registration No. BR22AU-5346 belonging to the petitioner, which was parked at the road side near the railway *Gumati Ganauli*.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated



in the present case simply because the vehicle from which the illicit liquor was recovered, is registered in his name. The motorcycle was parked at the road side near the railway *Gumati Ganauli*, which is an open place and easily accessible to anyone. Petitioner has no concern with the alleged seized liquor nor he is involved in trade of liquor in any manner. 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 to the petitioner.

6. Considering the fact that the recovery of 1.800 litres illicit liquor was made from a motorcycle bearing Registration No. BR22AU-5346 belonging to the petitioner, which was parked at the road side near the railway *Gumati Ganauli*, which is an open place and easily accessible to any one and also the fact that the State has failed to implement its liquor policy in its true spirit, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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 the learned District Court where the



case is pending, in connection with Bettiah Muffasil P.S. Case No. 138 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

8. The present bail application is disposed of.

(Purnendu Singh, J)

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