

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37342 of 2026

Arising Out of PS. Case No.-221 Year-2025 Thana- TARARI District- Bhojpur

Ranjeet Gupta S/o Sudarshan Gupta Resident of Village- Deo, P.S.- Sikarhata,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Tarari P.S. Case No. 221/2025 registered for the offence(s) punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, allegedly 42 litres of illicit liquor was recovered from a motorcycle bearing Registration No.BR03 4264.

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. 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 and upon perusal of the allegations made in the FIR and the seizure list, I find that the motorcycle in question stands registered in the name of the petitioner. It has further been submitted that the petitioner was not present at the time of the alleged seizure and that his implication in the present case is based solely on the basis of confessional statement of the co-accused recorded before the police, which has no evidentiary value. In the aforesaid facts and circumstances, the learned District Court is directed to call for a report from the District Transport Officer concerned with regard to the motorcycle in question so as to ascertain whether, prior to institution of the present FIR, the said motorcycle had been involved in any similar activity. The District Transport Officer must also verify the records of the motorcycle as mentioned in the FIR on the basis of its registration number, engine number and chassis number. The District Transport Officer must send the report to the learned District Court within two days from communication



of this order. **In the event, it is found that the motorcycle in question had not previously been involved in any such activity and belongs to the petitioner, then in that case, the learned District Court shall release the petitioner on pre-arrest bail on such terms and conditions as it may deem fit and proper.**

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.

8. The bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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