

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37653 of 2026

Arising Out of PS. Case No.-167 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

=====

Durgesh Kamat, Son of Hajari Kamat, Resident of Village- Marar, Ward No.
13, P.S.- Madhubani, Jitwarpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-07-2026 Heard Mr. Ugranath Mallik, learned counsel

appearing on behalf of the petitioner and Mr. Md. Shakir
Ahmad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Nagar P.S. Case No. 167 of 2023 registered for the offence
punishable under Sections 30 (a) the Bihar Prohibition and
Excise Act as amended up-to-date.

3. Allegation is of recovery of 05.700 litres of illicit
liquor from a vehicle bearing Registration No. BR32T8813,
registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been implicated in the
present case on the basis of registration certificate of the



vehicle. Petitioner is not named in the FIR. Petitioner has no concern with the alleged seized liquor nor he is involved in trade of liquor in any manner. Petitioner had no knowledge that his vehicle is being misused for carrying illicit liquor. 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. Having heard the rival submissions made on behalf of the parties, as well as, the fact that the petitioner is not named in the FIR, he has been implicated in the present case on the basis of registration certificate of the vehicle. Petitioner has clean antecedent 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 Nagar P.S. Case No. 167 of 2023, 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)

Niraj/-

U		T	
---	--	---	--

