

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46747 of 2026

Arising Out of PS. Case No.-439 Year-2026 Thana- GARKHA District- Saran

Niraj Kumar @ Niraj Rai, aged about 27 years, male, Son of Gopal Ray,
Resident of Village - Narayanpur, Post Office - Rahampur, Police Station -
Garakha, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2026 Heard Mr. Ravi Shanker Pankaj, learned counsel

appearing on behalf of the petitioner and Mrs. Gulnar Begum,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Garakha P.S. Case No. 439 of 2026 registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act as amended up-to-date.

3. Allegation is of recovery of 207.54 litres of illicit
foreign liquor from the half built house of co-accused Sudhir
Manjhi.

4. Learned counsel appearing on behalf of the
petitioner submits that due to enmity, the petitioner has been
planted in a false case. The recovery of 207.54 litres of illicit



foreign liquor was made from the house of co-accused Sudhir Manjhi and petitioner has no concern with the alleged seized liquor nor he is involved in trade of liquor in any manner. 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, having perused the allegation made in the FIR, from which it appears that the recovery of 207.54 litres of illicit foreign liquor was made from the house of co-accused Sudhir Manjhi 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 Garakha P.S. Case No. 439 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)

Niraj/-

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