IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71899 of 2026

CNR No. BRHC011041552026

Arising Out of PS. Case No.-16 Year-2026 Thana- Kathara District- Vaishali

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Dharmendra Sahani @ Dharmendra Kumar Nishad S/O Late Videshwari Sahani @ Late Vindeshar Sahani @ Bindeshwar Sahani Resident of Village- Fular Paharpur, Ward No. 5, Karhatia Buzurg, P.S.- Mahua, Distt.- Vaishali, State- Bihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Hemant Ray, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 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 Kathara P.S. Case No. 16 of 2026, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, as amended up-to-date.

3. As per the allegation made in the F.I.R., 335.050 litres of Indian Made Foreign Liquor was recovered from a Scorpio bearing Registration No. BR28AC9320 and 22.680 litres of Indian Made Foreign Liquor was recovered from a motorcycle bearing Registration No. BR31BC0659. The petitioner is stated to be the owner of the said motorcycle.

4. Learned counsel appearing on behalf of the

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petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submitted that the petitioner was neither apprehended at the place of occurrence nor was any incriminating article recovered from his conscious or constructive possession. The name of the petitioner has surfaced during investigation primarily on the basis of his ownership of the motorcycle and his four criminal antecedents. On these grounds, the 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 and considering the nature of the allegations, the recovery of liquor from the motorcycle stated to be owned by the petitioner, as well as, the fact that the petitioner has four criminal antecedents, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. The prayer for pre-arrest bail is, accordingly, stands rejected.

(Purnendu Singh, J)

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