

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3268 of 2025**

Arising Out of PS. Case No.-216 Year-2017 Thana- BIHTA District- Patna

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MANGRU RAI @ MANGRU RAY S/O PARIKSHAN RAI R/O VILL-  
PAINAL, PS-BIHTA, DIST-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      03-07-2025                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner apprehends his arrest in connection  
with Bihta P.S. Case no.216 of 2017 registered under Section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 100 liters of country  
made liquor was recovered from a tube which was kept on a  
motorcycle bearing Registration No. BHR1AX6843 and also  
700 liters of country made liquor was recovered from a tractor  
bearing Registration No. BR01GF6891 and driver of the said  
truck was arrested on the spot.

4. Learned counsel for the petitioner submits that  
petitioner is not named in the F.I.R and cause of his false  
implication is only for the reason that he happens to be the  
registered owner of the seized truck. It has further been



submitted that arrested accused, however, did not make any disclosure against the petitioner. No recovery has been made from the physical or conscious possession of the petitioner. There is no independent witness to the seizure list and hence, mandatory provisions of search and seizure have been violated. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihta P.S. Case no.216 of 2017 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 Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

**(Soni Shrivastava, J)**

Harsh/-

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