

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5406 of 2025

Arising Out of PS. Case No.-203 Year-2023 Thana- RASULPUR District- Saran

Manoj Kumar S/o Hira Mahto Resident of Mohallah- Chhoti Nagla, Patna
City, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Adv
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rasulpur P.S Case No. 203 of 2023(wrongly entered as 203 of 2024 in the impugned order dated 07.12.2024 which was subsequently corrected by the order 19.12.2024) registered for the offence punishable under Section 30(a), 32(ii) (iii)/ 36/ 41(i) of the Bihar Prohibition of Excise Act.

3. As per the prosecution case, total 520.74 liters of illicit country made foreign liquor was recovered from the white colour Yodha Pick UP truck bearing Reg. No. BR-01GM-4017.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the owner of the said seized vehicle but the same was not being driven by him at the time of the alleged recovery. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that the petitioner is the owner of the vehicle and he was not concerned with the material which was being carried at behest of his driver and taking into account that the petitioner has clean antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 concerned, Saran, in connection with Rasulpur P.S Case No. 203 of 2023, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.).



7. Accordingly, the present application stands
allowed.

(Sourendra Pandey, J)

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