

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5816 of 2025

Arising Out of PS. Case No.-264 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Manoj Rawat S/O Gulab Rawat Resident of village- Bikram Bishunpur, PS-
Mahuadih. Dist- Deoria (UP)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs.Priyanka Singh, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Kuchaikote P.S. Case No. 264 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act. He has no criminal antecedent as stated in paragraph ‘3’ of the application.

3. The allegation against the petitioner is to have in possession of 42.8 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated in the present



case for the reason that his motorcycle bearing Registration NO. UP52BC-4020 was found carrying 42.8 litres of illicit liquor. It is submitted that said motorcycle was stolen about 10 to 15 days prior to the occurrence for which a F.I.R. was also instituted by the petitioner, which was numbered as Mahuadih P.S. Case No. 135 of 2025. Learned counsel submitted that petitioner is a man of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the fact as implication of petitioner *prima-facie* only for the reason that alleged motorcycle, which was found carrying illicit liquor, was registered in the name of petitioner, negating *prima-facie* that alleged illicit liquor was recovered from physical conscious possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of



learned Additional District and Sessions Judge–IVth–cum-
Exclusive Special Excise Court No.-II, Gopalganj,/concerned
court in connection with Kuchaikote P.S. Case No. 264 of
2024, subject to the conditions as laid down under Section
438 (2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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