

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6203 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- MANIHARI District- Katihar

1.

Karan Kumar S/O Dilip Kumar Mandal R/O Manihari, PS- Manihari, Dist- Katihar.
2.

Pradip Rajak @ Pradeep Kumar S/O Moti Rajak R/O Kheria, P.S- Korha, Dist- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr. Sanjeev Kumar Singh, Advocate

For the State

:

Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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14-05-2025

Heard learned counsel for the petitioners and learned APP for the State.

2. At the outset, learned counsel for the petitioners submits that the anticipatory bail petition on behalf of petitioner viz., Ajay Kumar is already withdrawn and he is further seeking to withdraw the present present on behalf of petitioner No. 2, viz., Pradip Rajak @ Pradip Kumar, because he has been arrested.

3. Permission is accorded.

4. Accordingly, the present petition on behalf of petitioner No. 2, viz., Pradip Rajak @ Pradip Kumar is dismissed as withdrawn.

5. Now, the present petition is pressed only on behalf of petitioner No. 1, viz., Karan Kumar.

6. The petitioner seeks bail, apprehending his arrest, in connection with Manihari Excise P.S. Case No. 245 of 2024, dated 20.09.2024, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

7. As per allegation, 57 litre of illicit liquor has been recovered from a house where the motorcycle of the petitioner was also lying.

8. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that no recovery has been made from the possession of the petitioner or from his house or from his motorcycle. He further submits house in question belongs to someone else. He further submits that the petitioner has nothing to do with the alleged offence and his name has transpired on the basis of suspicion.

9. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

10. It has further been stated in paragraph no.3 of the

bail petition that the petitioner has no criminal antecedent.

11. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

12. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Manihari Excise P.S. Case No. 245 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,

learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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