

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10427 of 2025**

Arising Out of PS. Case No.-175 Year-2024 Thana- Bikramganj Excise District- Rohtas

1. Manu Kumar S/O Chhotelal Seth R/O Village/Mohalla- Bikramganj, Ward No. 13, P.S- Bikramganj, Distt.- Rohtas at Sasaram.
2. Vicky Kumar S/O Bhura Sah R/O Village- Bikramganj, Ward No. 16, P.S- Bikramganj, Distt.- Rohtas at Sasaram.
3. Rinku Kumar S/O Birbal Sah R/O Village- Bikramganj, Ward No. 16, P.S- Bikramganj, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Vinay Kumar Singh, Advocate |
| For the State        | : | Dr. Mrityunjaya Kr. Gautam, APP |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      14-02-2025                      Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Bikramganj Excise P.S. Case No. 175 of 2024, dated 02.11.2024, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the allegation, 113.040 litre of illicit liquor has been recovered from the bush near sugar mill.

4. Ld. counsel for the petitioners submits that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners are no way connected with the recovery of the illicit liquor that has been recovered from the open space. He further submits that similarly situated co-accused person has already been enlarged on bail by this Court vide order dated 11.12.2024 passed in Cr. Misc. No. 84533 of 2024.

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

6. It has further been stated in paragraph no.3 of the petition that the petitioners have been made accused in one another case.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, this petition is allowed, directing the petitioners, above-named, to be enlarged on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of Ld. Exclusive Special Excise Court No.1, Rohtas at Sasaram, in connection with Bikramganj Excise P.S. Case No. 175 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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, Ld. court below shall cancel the bail bonds of the petitioners.

**(Jitendra Kumar, J)**

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