

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10150 of 2025

Arising Out of PS. Case No.-241 Year-2021 Thana- MANJHAGARH District- Gopalganj

1. Hira Bin @ Hira Prasad S/o- Late Raghunath Bin Village- Dhausi Tola Pathan Patti Ps- Manjhagarh Dist- Gopalganj
2. Pawan Bin @ Pawan Kumar S/o- Hira Bin @ Hira Prasad Village- Dhausi Tola Pathan Patti Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Advocate. Mr. Amit Kumar Mishra, Advocate.
For the State	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Manjhagarh P.S. Case No. 241 of 2021, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per allegation, there is recovery of 5 litres liquor from a bag hanging on a Motorcycle bearing TVS Star City bearing registration No. BR-04-E-1510 standing at road side.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged Motorcycle does not belong to the petitioner nor has he any connection with the alleged offence. There is no legal basis to curtail the liberty of the petitioner.

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 no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner 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 learned Additional Sessions Judge-XIII cum Special Excise Court No. I, Gopalganj, in connection with Manjhagarh PS. Case No. 241 of 2024 subject to the conditions



as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned 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, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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