

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10261 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- Excise P.S. District- Aurangabad

Manoj Kumar, Son of Late Gopal Mahto @ Late Gopal Mehta, Resident of
Mohalla - Shahpur, P.S. - Town, District - Aurangabad, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms. Rupa Kumari, Advocate

For the Opposite Party : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 28-03-2025

Heard learned counsel for the parties.

2. This application for anticipatory bail arises out of Excise P.S. Case No.44 of 2025 registered for the offence punishable under section 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act. 2018.

3. The petitioner is the owner of e-rickshaw from which illicit liquor has been recovered.

4. It has been submitted by learned counsel for the petitioner that e-rickshaw from which the illicit liquor has been recovered was given to one Karan Kumar Pandey on hire and it is Karan Kumar Pandey, who had transported the illicit liquor. It has also been submitted that the petitioner has clean antecedent.

5. Considering the fact that the petitioner is the owner of e-rickshaw from which illicit liquor has been recovered and he has clean antecedent, this bail application is allowed.



6. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.2, Aurangabad / concerned Court below, in connection with Excise P.S. Case No.44 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the submission of learned counsel for the petitioner that the petitioner has clean antecedent. The bail bonds of the petitioners shall only be accepted if it is found that the petitioner has clean antecedent.

8. This is also subject to the condition that the petitioner shall mark his attendance in Town Police Station, Aurangabad on first and third Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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