

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11478 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- KALUAHI District- Madhubani

Manoj Kumar Singh @ Manoj Singh S/O Ramsogarath Singh R/O Village-
Kaluahi, Gram Panchayat- Harharpur North, Ward No. 06, P.S- Kaluahi,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with G.R. No.1328/2024 arising out of Kaluahi P.S. Case No.183 of 2024 registered for the offences punishable under Section 3(5) of the Bharitya Nyay Sanhita and Sections 41, 47 and 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. A perusal of the FIR and the seizure list would go to show that a recovery of 82.8 liters of Nepali liquor was made from a tempo which was found in a forest area.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case on account of the



fact that his motorcycle was also found at the place of occurrence. However, it has been submitted that no recovery has been made from the said motorcycle. On the strength of such fact, learned counsel would also submit that there is no recovery from the physical or conscious possession of the petitioner and the seizure list does not bear the signature of any independent witness.

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

6. Considering the fact that the petitioner has no criminal antecedent and the co-accused of the present case has already been granted privilege of anticipatory bail vide order dated 05.02.2025 passed in Cr.Misc.No.1503 of 2025, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with G.R. No.1328/2024 arising out of Kaluahi P.S. Case No.183 of 2024, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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