

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11226 of 2025

Arising Out of PS. Case No.-546 Year-2024 Thana- WARISLIGANJ District- Nawada

Monu Kumar S/o Ashok Singh @ Ashok Kumar R/o Village - Koachgaon,
P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-03-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory bail, in connection with Warisaliganj P.S. Case No.546 of 2024 for offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, it would appear from the perusal of the First Information Report as also the seizure list, that the Police, upon receiving a secret information, proceeded and found 100.5 litres of foreign liquor concealed in the heap of paddy straw kept in the agricultural field. It has been alleged in the F.I.R. that it was report of the spy that the said liquor belonged to one Brajesh Kumar and Monu Kumar.

4. Learned counsel for the petitioner submits that a



perusal of the seizure list would go to show that the recovery of the foreign liquor has been shown from the field of Brajesh Kumar. Hence, so far as the petitioner is concerned, there is no recovery either from his physical or from his conscious possession. It has also been submitted that the place of occurrence of recovery is an open field to which anybody can have access. It has also been submitted by the learned counsel for the petitioner that there is no independent witness on the seizure list.

5. Learned APP, however, has pointed out that there are two cases against the petitioner of the same nature. However, in response to the same, it has been stated that the petitioner is on bail in both the cases..

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Exclusive Special Court, Excise-2, Nawada, in connection with Warisaliganj P.S. Case No.546 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and



subject to the following conditions :-

(i) that the learned Court would, however, verify the criminal antecedent of the petitioner before releasing him on bail

(ii) one of the bailors shall be the family member/ relative of the petitioner and;

(iii) the petitioner shall cooperate with the Investigation/Trial.

(Soni Shrivastava, J)

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