

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13602 of 2025

Arising Out of PS. Case No.-495 Year-2024 Thana- RAHUI District- Nalanda

Manish Kumar @ Aditya Raj, S/o Ranjeet Prasad @ Ranjit Yadav, R/o Rahui,
P.S.- Rahui, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-03-2025 1. Heard Mr. Shashi Bhushan Singh, learned counsel
for the petitioner and Mr. Gauri Shankar Gupta, learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Rahui P.S. Case No. 495 of 2024 dated 28.09.2024,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by the petitioner's
counsel are that the instant matter relates to the recovery of 76
litres of foreign liquor and the same is alleged to have been
recovered near the land of one Shalok Yadav to which the
petitioner has no connection and he has been made accused
mainly on the basis of secret information given by the local
Chaukidar and local people which is not sufficient to make one
accused in such type of recovery from an open place, so, the
alleged offence of Excise Act under which the FIR has been



registered does not even *prima facie* attract against the petitioner and his prayer is not hit by the provisions of Section 76(2) of the Bihar Prohibition and Excise Act.

4. Though, learned APP appearing for the State has opposed the bail prayer but fairly accept that except the secret information given by the local *chaukidar* and local people, there is no material against the petitioner to show his involvement in connection with the seized liquor.

5. Considering the above submissions advanced by petitioner’s counsel, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Rahui P.S. Case No. 495 of 2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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