

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13461 of 2025

Arising Out of PS. Case No.-707 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

Rakesh Manjhi @ Rakesh Kumar Manjhi Son of Kishore Manjhi Resident of
Village- Bindusar Buzurg, P.S.- Mahadeva, District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 707 of 2024 lodged on 10.11.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 7 litres of illicit liquor has been made which is the subject matter of the present case.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that name of the petitioner has been figured in this case only by virtue of the disclosure made by the co-accused. Counsel further submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him in which in both the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him which is of similar nature i.e. Bihar Prohibition and Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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