

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16461 of 2025**

Arising Out of PS. Case No.-1 Year-2025 Thana- DHIBRA District- Aurangabad

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Mantosh Kumar S/O Satyendra Yadav R/O Village- Futaharawa, P.S-
Nabinagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Malti Kumari
For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

3 16-05-2025 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 30(a) of

the Bihar Prohibition and Excise Act, 2016

3. As per the prosecution case, there is a recovery of

720 ml of foreign liquor from a Pulsar motorcycle.

4. Learned counsel for the petitioner submits that the

name of the petitioner has transpired on the ground that he is

the owner of the said motorcycle. However, it has been

submitted that the motorcycle was being used by his brother

Vikash Kumar for getting some medicines and the petitioner



had no knowledge that it had been put to such illegal use. No recovery has been made from the physical and conscious possession of the petitioner. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 Special Judge, Excise Second, Aurangabad, Bihar, in connection with Dhibra P.S. Case No.01 of 2025 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 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court



below shall take step for cancellation of bail bond of the
petitioner. However, it is expected that the verification process
would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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