

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15395 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Mantosh Rai @ Mantosh Kumar S/o Lakhan Rai @ Ram Nirekhan Rai R/o
vill - Rampur Hari, P.S.- Rampur Hari, Distt.- Muzaffarpur, at present R/o
vill- Ghausnagar, P.s.- Mahindwara, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-04-2025 Heard Mr. Ratneshwar Prasad, learned counsel for the

petitioner and Mr. Pawan Kumar Chaurasia, learned APP for the

State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Utpad Thana (Excise) P.S. Case No.121 of 2025 instituted
for the offence under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The case of the prosecution is that the police had
secret information that the petitioner along with others was
indulged in selling liquors. It is further alleged that from a DCM
Ttruck, altogether 1801.44 liters of country made foreign liquor



was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has further been submitted by learned counsel for the petitioner that even the driver has stated before the police that one Vikky has directed him to deliver this liquor. The name of this petitioner has surfaced on the basis of information to the police but no source of information was disclosed in the F.I.R. Nothing has been recovered from the possession of this petitioner. He is having no criminal antecedent.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Utpad Thana (Excise) P.S. Case No. 121 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Judge, Excise Court No. II, Muzaffarpur, subject to the
conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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