

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16096 of 2025**

Arising Out of PS. Case No.-14 Year-2024 Thana- NARPATGANJ District- Araria

Mantu Kumar Ram S/O Surendra Ram R/O Giri Teen, Kolua, Pipra, P.S-
Araria, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish
For the Opposite Party/s : Mr.Md. Nazir Ansari

**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
90 litres of Nepali liquor from a motorcycle which was coming
from the Nepal border.

4. Learned counsel for the petitioner submits that the
name of the petitioner has surfaced on account of the fact that he
was the owner of the seized motorcycle and it is stated in



paragraph 11 of his petition that the motorcycle was stolen by some miscreants. There is no independent witness to the seizure list, thereby violating the mandatory provisions of search and seizure and no recovery has been made from the physical and conscious possession of the petitioner.

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 Exclusive Special Judge Excise-1, Araria, in connection with Narpatganj (Basmatiya O.P.) P.S. Case No.14 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 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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