

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20346 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Excise P.S. District- Madhepura

Munna Rajak, S/o Amik Lal Rajak @ Amiklal Rajak, Resident of village-
Madhuban (Madhuvan), Ward No. 04, P.S-Madhepura, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pawan Kumar, Advocate.
For the State : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Madhepura Excise P.S. Case No. 23 of 2025,
dated 21.01.2025 registered for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per allegation, 51 litres of illicit country made
liquor has been recovered from collection of straw in front of
the house of the petitioner.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the illicit country made liquor has
neither been recovered from the house of the petitioner nor from
his personal possession. The recovery has been made from an



open space accessible to public at large.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned court below in connection with Madhepura Excise P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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