

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17205 of 2025

Arising Out of PS. Case No.-924 Year-2024 Thana- Excise P.S. District- Gopalganj

Manish Tiwary @ Manish Tiwari, aged about 24 years (Male), S/O Kailash Tiwari, Resident of village- Bharthawa, P.S.- Sikandarpur, District- Baila, Uttar Pradesh.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Gopalganj Excise P.S. Case No. 924 of 2024 dated 08.12.2024 registered for the offences punishable under Sections 30(a) and 32 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 862.560 litres of foreign liquor is said to have been recovered from the Scorpio vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He was not arrested on the spot. His name has



surfaced in the present case on the basis of the disclosure made by arrested co-accused person Abhishek Kumar which has got evidentiary value in the eyes of law. No incriminating article has been recovered from his possession. It is further submitted that the petitioner is neither the owner of the said Scorpio vehicle nor the owner of the seized illegal liquor. He has no concern with the alleged offence. It is further submitted that it has wrongly been mentioned in the F.I.R. that the petitioner is the owner of the seized liquor and he works as a liner. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 09.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IVth-cum-Exclusive Special Judge, Excise Court No.-II, Gopalganj in connection with Gopalganj Excise P.S. Case No. 924 of 2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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