

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18367 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- MANJHI District- Saran

Arjun Yadav S/O Krishna Yadav R/o Vill. - Dumari, P.S - Manjhi,
District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Manjhi P.S. Case No. 23 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act. Petitioner has one criminal antecedent of same nature, as stated in paragraph '3' of the application, where he is on bail.

3. The allegation against the petitioner is to have in possession of 68.22 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on



spot, therefore, it can be safely gathered that recovery of alleged illicit liquor was not made from his physical possession. It is submitted that petitioner found involved in one more criminal case of similar nature, where he is on bail.

5. It is pointed out that petitioner is not connected in any manner with seized vehicle found carrying illicit liquor and his name transpired on the basis of suspicion as raised by local Chowkidar.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as recovery of alleged illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at



Chapra/concerned court in connection with Manjhi P.S. Case
No. 23 of 2025, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya
Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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