

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18664 of 2025

Arising Out of PS. Case No.-171 Year-2017 Thana- NAWADA MUFFASIL District- Nawada

Mantosh @ Mantosh Kumar S/O Ram Awadh Singh Resident of Village-
Kewaiya, PS- Ghorasahan, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv.
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. 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. The perusal of the FIR and the seizure list would show that a total of 1260 litres of Indian made foreign liquor was recovered from a truck and the driver of the said truck was apprehended on the spot.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case upon the disclosure made by the apprehended driver by stating that the said liquor had been loaded with the help of the present petitioner. It is further submitted that neither any recovery has



been made from the physical and conscious possession of the petitioner nor does the said truck and the seized liquor belong to him. It is next submitted that the process of search and seizure also amounts to violation of the mandatory provisions as there is no independent witness to the said seizure and this petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances of the case, 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 the learned lower Court where the case is pending/successor Court in connection with Muffasil P.S. Case No.171 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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