

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26312 of 2025

Arising Out of PS. Case No.-433 Year-2024 Thana- Excise P.S. District- Nawada

Manu @ Mannu Kumar S/o Dileep Prasad Yadav @ Dilip Yadav RO Village-
Kajikatar, PS- Akbarpur, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 433 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 60 litre chulai liquor was recovered from Bamboo orchard (Banswadi) situated at Kaji Katari village. Local people disclosed the name of the petitioner who succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is not clear as to who has divulged the name of petitioner and, hence, the authenticity of the F.I.R.



is doubtful. He further submits that petitioner was not found at the place of occurrence. He further submits that petitioner is not the owner of the said Bamboo orchard (Banswadi) from where the alleged recovery has been made. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner has nothing to do with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to high handedness of police. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.



10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise – 2, Nawada in connection with Excise P.S. Case No. 433 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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