

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28795 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- SURSAND District- Sitamarhi

Manoj Thakur Son of Yogendra Thakur Resident Of Village- Patnuka, Ps-
Nanpur, Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

2. At the outset, learned counsel for the petitioner seeks permission to correct the registration number of motorcycle, which was inadvertently typed as BRO6CE-2815 instead of BR32AK-7710 in paragraph nos. 10 and 12 of the petition.

3. Learned counsel for the petitioner is permitted to do so in course of the day itself.

4. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Sursand P.S. Case No. 89 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.



5. The allegation against the petitioner is to have in possession of 135 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

6. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner transpired in this case only for the reason that he was the registered owner of the motorcycle, which was found near to the place of recovery of illicit liquor. It is submitted that admittedly illicit liquor was not made from physical possession of this petitioner, who claims to be a man of clean antecedent.

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

8. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, 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 Exclusive Special Excise Judge-I, Sitamarhi, in connection with Sursand P.S. Case No. 89 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/-

U		T	
---	--	---	--

