

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28584 of 2025

Arising Out of PS. Case No.-222 Year-2023 Thana- MANIYARI District- Muzaffarpur

Abhishek Kumar Son of Ganesh Ray @ Ganesh Kumar, Village- Muraul, P.S-
Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Maniyari P.S. Case No. 222 of 2023, dated
19.07.2023, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per allegation, 4.875 litre of illicit liquor has
been recovered from the bag allegedly being carried by the
motorcyclist who seeing the police, fled away leaving behind
the bag and motorcycle.

4. Learned counsel for the Petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that neither the petitioner is owner nor



driver of the vehicle. He further submits that petitioner was not driving the vehicle nor he has anything to do with the alleged offence. He further submits that the name of the petitioner has transpired in this case only on the basis of suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Maniyari P.S. Case No. 222 of 2023, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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