

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32496 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- BARUN District- Aurangabad

Manish Kumar S/o Dwarika Ram R/o vill - Simra, P.S. Barun, Distt.-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Barun P.S. Case No. 121 of 2025 registered for the
offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 197.58 liters of illicit liquor out of which 180.3 liters liquor
was recovered from tempo and 17.280 liters of liquor was
recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



on the basis of suspicion based on extra judicial confessional statement of the co-accused persons. The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner has no concern or knowledge of the seized illicit liquor allegedly found from both the seized vehicles. The petitioner is not the owner of any of the seized vehicles. The petitioner is also not the driver of any of the alleged vehicles. The petitioner has three criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Dhirendra Kumar has been granted regular bail by this Court vide order dated 01.05.2025 passed in Cr. Misc. No. 27999 of 2025.

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

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned



Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barun P.S. Case No. 121 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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