

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35374 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Manish Kumar S/o Ram Kumar Rai @ Raj Kumar Rai R/o Village- Adalpur
Yogi Braham Asthan, PS- Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the State : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Hajipur Sadar P.S. Case No. 246 of 2025, dated 26.03.2025, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 882 litre illicit liquor was being carried by the co-accused/Raushan Kumar (driver) and as per his confessional statement, one call was coming from Mobile No. 9934719288 regarding delivering of the illicit liquor. Co-accused was to deliver the liquor as per the instruction of the person from that mobile.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the mobile number in question does not belong to the petitioner and he has no connection with the alleged offence. He further submits that there is no other material in support of the prosecution case against the petitioner, except so-called confessional statement which has no evidentiary value in the eye of law. As such, no offence is made out against the petitioner under the Excise Act and the present anticipatory bail petition is maintainable.

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 three 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 Hajipur Sadar P.S. Case No. 246 of 2025, 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 other than the disclosed one, 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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