

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34258 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- MANJHI District- Saran

=====

Golu Kumar Singh @ Golu Singh Son of Nagendra Singh @ Naga Singh
Resident of village - Tajpur, Police Station - Manjhi, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Manjhi P.S. Case No. 124 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to have in possession of 80 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from an open place, where



petitioner's name implicated in this case on the basis of statement made by local people and villagers. It is submitted that petitioner not even the owner of the motorcycle, which found involved in carrying of illicit liquor. It is submitted that in view of same, it can be safely said that recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is pointed out that petitioner found involved in only one criminal case, wherein he is on bail and, criminal antecedent, which is mentioned as two in number in the impugned order, is not a correct position *qua* criminal antecedent of the petitioner.

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

6. 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, 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 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Manjhi P.S. Case No. 124 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.”) and further condition:

(i) That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That if petitioner found involved in more than one case, contrary to the submission, as raised by learned counsel for the petitioner during the hearing of present anticipatory bail petition, the bail bond, as furnished by the petitioner shall not be accepted by the learned trial court.

(Chandra Shekhar Jha, J)

Rajeev/-

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

