

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39780 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- ANDHRAMATH District- Madhubani

Manjesh kumar S/o Muneshwar Yadav R/o - Mahua, P.S. - Nirmali, District -
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the State : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Andharamath P.S. Case No. 117 of 2024, dated 07.07.2024, registered for the offences punishable under Sections 274, 275, 317(5) and 3(5) of the BNS and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 and under Section 78 of Juvenile Justice (Care and Protection of Children) Act, 2015.

3. As per allegation, the police apprehended two motorcyclist along with illicit liquor and as per further case of the police, the petitioner and other co-accused were also along with them but they were successful to flee away.

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 whole case against the petitioner is based on suspicion and he is no way involved in the alleged offence. He further submits that the name of the petitioner has transpired only on the basis of confessional statement of co-accused and except this material, there is no other cogent material against the petitioner. 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 no criminal antecedent.

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 Andharamath P.S. Case No. 117 of 2024, 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 antecedent, 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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