

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36192 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- BATHNAHA District- Sitamarhi

Manoj Rai S/O Late Brahmdeo rai R/O Village-Maibi, ward no 6, PS-
Bathnaha, Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv.
	:	Smt. Divya Bharti, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bathnaha Police Station Case No. 104 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.
3. As per the FIR, 504 liters of Nepali Saufi liquor and 53.565 liters of foreign liquor has been recovered from the cowshed made of straw.
4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been made accused on the ground that the liquor has been recovered from the cowshed made of straw. The cowshed is situated



outside the house of the petitioner and is also accessible to all and sundry.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the liquor has been recovered from the cowshed situated outside the house of the petitioner and is accessible to all, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitamarhi, in connection with Bathnaha Police Station Case No. 104 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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