

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35273 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- MANJHI District- Saran

Amarnath Pandey Son of Sonapati Pandey R/O Village - Mahmadpur, P.S.-
Manjhi, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Manjhi P.S. Case No. 99 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, 129.600 litre illicit liquor was recovered from Hero Splendor Plus motorcycle in question and co-accused Dinesh Yadav, Mohit Kumar Chaudhary and Jaglal Chaudhary were apprehended on the spot. Apprehended co-accused disclosed the name of petitioner and other who succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that



except disclosure of the apprehended co-accused persons, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Learned counsel orally submits that petitioner is not the owner of the seized motorcycle in question. Petitioner was not found at the place of occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of one case in which he is on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) 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. 99 of 2025, subject to the conditions as laid down
under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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