

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38590 of 2025

Arising out of PS. Case No.-119 Year-2025 Thana- MIRGANJ District- Gopalganj

Mannu Yadav @ Mannu Kumar Yadav S/o Jugal Chaudhary @ Yugul Chaudhary R/o Village- Madho Matihani, PS- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s: Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mirganj P.S. Case No. 119/2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act. Petitioner has one criminal antecedent.

3. As per the FIR, on secret information, a raid was conducted by the police and on seeing the police party the petitioner managed to flee away on the motorcycle but co-accused person namely Bachan Yadav was apprehended, who disclosed the name of the petitioner. On search, total 5.625 litres foreign liquor was recovered from the cartoon kept on motorcycle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Learned counsel



further submits that no recovery has been made from the conscious physical possession of the petitioner. It is also submitted by learned counsel for the petitioner that co-accused namely Sursati Devi has been granted bail by this Court *vide* order dated 25.05.2025 passed in Cr. Misc. No. 35412 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that no recovery was made from the petitioner, let the petitioner above-named be enlarged on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj, Bihar in connection with Mirganj P.S. Case No. 119/2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecu-



tive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

d. The Court below shall verify the criminal antecedent of the petitioner except one case and in case at any stage it is found that the petitioner has concealed his criminal antecedent except one case, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the afore-mentioned order shall not be delayed for purpose of or in the name of verification.

7. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Gopalganj within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Su-



perintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

9. Registry is directed to de-link the present case with Cr. Misc. No. 38933 of 2025.

(Sourendra Pandey, J)

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