

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45444 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- BAIRIYA District- West Champaran

Munna Sah @ Munna Kumar S/O Jagarnath Sah @ Lalit Sah @ Lalit Kumar
@ Lalita Kumar R/O Vill.- Pakhnaha Jagiraha, P.s.- Bairiya, Dist.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
86.88 litres of illicit liquor from two motorcycles. It is alleged
that after seeing the police, the accused persons left their
motorcycles and fled away from the spot. Local spy disclosed
the name of the petitioner as one of the escaped persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the disclosure made by local spy. Further
submission is that petitioner is neither the owner nor the driver



of the seized motorcycles. Petitioner has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. Except the disclosure statement of local spy, there is nothing material against the petitioner. Petitioner has three criminal antecedents in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-1, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 184 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) the petitioner shall cooperate in the investigation and trial;

(ii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bond;

(iii) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bond.

(Sunil Dutta Mishra, J)

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