

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47436 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BANJARIA District- East Champaran

1. Manoj Bhagat @ Manoj Kumar S/o Mahendra Bhagat R/o vill- Chilwariya, Ps- Banjariya, District- East Champaran
2. Ram Babu Bhagat @ Pawan @ Pawan Kumar S/o Mahendra Bhagat R/o vill- Chilwariya, Ps- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 14-10-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in a case instituted under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. There is recovery of 122.49 litres of illicit liquor from a bathroom situated behind the house of petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to village politics. Petitioners were not present on the spot at the time of searching. Nothing has been recovered from conscious possession of the petitioners. The alleged recovery of



illicit liquor has been made from a bathroom situated behind the house of petitioners but petitioners had no knowledge about the seized illicit liquor kept in the bathroom. Petitioners have no concern with the alleged recovery. There is no independent witness of the seizure list. Petitioner no.1 has one criminal antecedent of similar nature and petitioner no.2 has clean antecedent and they undertake 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 petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Banjariya P.S. Case No.194 of 2025, subject to the conditions as laid down in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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