

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51004 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- MADHUBAN District- East Champaran

MANISH KUMAR S/o- Harikishore Rai @ Harikishor Yadav Village- Koriya
Yadav Tola Ps- Madhuban Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Madhuban P.S. Case No. 19 of 2025, dated 14.01.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 135 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the criminal antecedent of the petitioner is clean. He further submits that from the contents of the FIR, it becomes crystal clear that while it is alleged that the illicit wine was with



the petitioner, no recovery has been made from his possession. He also submits that the petitioner was not apprehended from the place of occurrence. Additionally, he submits that the petitioner is ready to comply with any conditions whatsoever that may be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the criminal antecedent of the petitioner is clean. He also submits that the recovery has not been made from the petitioner's possession.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No. 3, Civil Court, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 19 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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