

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52836 of 2025**

Arising Out of PS. Case No.-331 Year-2025 Thana- RAJENDRA NAGAR (T) RAIL P.S.  
District- Patna

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1. Manu Kumar @ Manu Gupta @ Shambhu S/o Mohan Prasad Saw R/o vill - Budh Gali, P.S.- Pirbahore, Distt.- Patna
  2. Bittu Kumar S/o Arjun Prasad R/o vill - Saidanpur Hilsa, P.S.- Hilsa, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      01-08-2025      Heard learned counsel for the petitioners and learned APP  
for the State.

2. The petitioners apprehend their arrest in connection with Rail P.S. Patna Jn (Rjpb) Case No. 331 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 86.4 litres of liquor was recovered from a jute sack from a push cart (*thela*).

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. It is submitted that seized push cart (*thela*) belongs to the petitioners. The name of the petitioners have transpired in this case on the basis of confessional statement of one Ambika Prasad. The petitioners have got no concern with the alleged recovery of liquor.



Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners. The petitioners have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 08.07.2025 passed in Cr. Misc. No. 42243 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rail P.S. Patna Jn (Rjpb) Case No. 331 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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