

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52300 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- MANJHI District- Saran

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1. Praveen Kumar Singh S/o Awadhesh Singh Resident Of Village- Fulwariya, Ward No. 13, PS- Manjhi, Distt.- Saran at Chapra
 2. Kundan Kumar Singh @ Kundan Singh S/o Jayram Singh Resident Of Village- Fulwariya, Ward No. 13, PS- Manjhi, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Manjhi P.S. Case No. 210 of 2025, dated 15.06.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 198.55 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that nothing has been recovered from the



possession of the petitioners. He also submits that the names of the petitioners have been implicated in this case merely on the basis of a conspiracy. Furthermore, he submits that the criminal antecedent of petitioner No. 1 is clean. However, the criminal antecedent of petitioner No. 2 is not clean, as two criminal cases are pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that two criminal cases are pending against petitioner No. 2, one under the Excise Act and the other under the Indian Penal Code.

6. As such, in the present facts and circumstances of this case, let the petitioner No. 1, namely, Praveen Kumar Singh 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 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Manjhi P.S. Case No. 210 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail application of the petitioner No. 2, namely, Kundan Kumar Singh @ Kundan Singh is concerned,



his bail application is hereby rejected, with a liberty that in case, the petitioner No. 2 surrenders within six weeks before the Trial Court, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner No. 2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

8. It is further directed that the Trial Court shall verify the criminal antecedent of the petitioner No. 1, and in case it is found at any stage that the petitioner No. 1 has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner's bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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