

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56070 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- KHANPURA District- Samastipur

Manoj Sah son of Hareram Sah Village- Arout Mushari (Thahar) PS- Rosera
Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nidhi Anand, Advocate

For the Opposite Party/s : Ms. (Dr.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. As per prosecution case, 78.750 litres of Indian made
foreign liquor has been recovered from banana orchard, 20
meters east to Morhi Godown. The name of petitioner has come
on the confessional statement of apprehended accused Rajesh
Kumar Mahto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Petitioner was neither apprehended on the spot nor he has
any concern with the seized liquor or the place of recovery. The
place of recovery i.e. banana orchard is accessible to public at



large as it is open place, 20 meters to the east of Murhi *godown*. Nothing has been recovered from conscious possession of the petitioner. The petitioner has two criminal antecedents out of which one belongs to the Excise act and in all two cases, petitioner is on bail. Petitioner undertakes to cooperate in the investigation and the 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, 1st, Samastipur in connection with Khanpur P.S. Case No.148 of 2025, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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