

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56914 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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1. Manish Kumar, S/O Kishore Sah, R/O Vill.- Jiwachhpur, Ward no. 7, P.S.- Madhepura, Dist.- Madhepura.
 2. Ganesh Kumar, S/O Kishore Sah, R/O Vill.- Jiwachhpur, Ward no. 7, P.S.- Madhepura, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Pooja Prasad, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Udakishunganj Excise P.S. Case No. 63 of 2024 related to Excise Case No. 571 of 2024 for the offence registered under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, on a secret information that petitioners and co-accused were carrying illicit liquor, police caught hold co-accused Banti Kumar with motorcycle. On search, total 120 litres of country made liquor was recovered from his possession. It is alleged that after seeing the police the petitioners fled away from the spot.



4. Learned counsel for the petitioner submits that petitioners are innocent and have falsely been implicated in this case on the disclosure statement of the co-accused Banti Kumar. Petitioners were neither present on the spot nor any incriminating articles have been recovered from the conscious possession of the petitioners. Further submission is that petitioners have no concern with the seized motorcycle or liquor and it is categorically submitted that petitioners are not the registered owner of the seized motorcycle. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedents, in which they are on bail as stated in para 3 of the bail petition. They undertake to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid 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 upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Additional Sessions Judge-VII-cum- Special



Judge, Excise-II, Madhepura, in connection with Udakishunganj
Excise P.S. Case No. 63 of 2024, subject to the conditions as
laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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