

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56917 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- JAYNAGAR District- Madhubani

Manoranjana Singh @ Manoranjana Kumar Singh @ Fauzi S/o Indra Mohan
Singh R/o Village- Rajputana Tola, Jaynagar, P.S.- Jaynagar, District-
Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.
Mrs. Archana Anand, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jaynagar P. S. Case No. 211 of 2025 dated 19.06.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and u/s 274, 275, 317(5) of the B.N.S.

3. As per the prosecution case, total 1080 litres of illicit Nepali country made liquor was recovered from the Pick-up van.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is neither the owner nor the driver of the said vehicle. The name of the petitioner has transpired on the basis of disclosure of apprehended co-accused person namely Manish Ray. The co-accused person namely Manish Ray has been granted regular bail by this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 51398 of 2025. No incriminating article has been recovered from the conscious possession of the petitioner, hence no case is made out. The petitioner has three criminal antecedents as stated in para 3 of the bail petition Learned Counsel has relied on the judgment of Full Bench of Hon'ble Patna High Court in the case of **Ram Vinay Yadav vs. State of Bihar reported in 2019 (2) PLJR 1089**. The Full Bench in the case of **Ram Vinay Yadav (supra)** has held that an application for anticipatory bail in a case arising out of Bihar Excise and Prohibition Act can be maintained, despite the bar under Section 76 (2) of the Act, if on the basis of allegation made in the FIR, no offence under the said provision is made out.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the bar of Section 76(2) of the Act applies in this case.



6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Jaynagar P. S. Case No. 211 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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