

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56209 of 2025

Arising Out of PS. Case No.-466 Year-2025 Thana- BODHGAYA District- Gaya

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1. Bir Kumar @ Veer Kumar S/O Ram Naresh Manjhi @ Naresh Manjhi @ Ramnaresh Manjhi R/O Vill. - Mocharim, P.S. - Bodh Gaya, Dist. - Gaya(Bihar)
 2. Bala Ji @ Abhimanyu Kumar @ Abhimanyu @Veer Abhimanyu Kumar S/O Ram Naresh Manjhi @ Naresh Manjhi @ Ramnaresh Manjhi R/o Macharim, P.S. - Bodh Gaya, Dist. - Gaya(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. Petitioners apprehend their arrest in a case instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 10.8 litres of Indian made foreign liquor from a hut built near the bank of Lutan Bigha river. Petitioner is alleged to have fled away from the spot.

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. Nothing incriminating has been recovered from conscious possession of the petitioner. The



alleged recovery has been made from an open place accessible by public at large. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent in which he is on bail. Petitioners undertake 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 petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No.1, Gaya Jee in connection with Bodh Gaya P.S. Case No.466 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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