

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57395 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- AWTARNAGAR District- Saran

1. Manish Kumar S/o Gaurishankar Rai R/o Village- Sabalpur Pachhiyari Tola, P.S.- Sonpur @ Sonpur, District- Saran
2. Dileep Kumar S/o Late Harishankar Rai R/o Village- Sabalpur Pachhiyari Tola, P.S.- Sonpur @ Sonpur, District- Saran
3. Pankaj Kumar @ Pankaj Rai S/o Sanjay Rai R/o Village- Sabalpur Pachhiyari Tola, P.S.- Sonpur @ Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Awtarnagar P.S. Case No. 85 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 673.92 litres of liquor was recovered from Truck.

4. Learned counsel for the petitioners submitted that the petitioner have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis



of disclosure of Akash Kumar. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. Charge-sheet has been submitted in this case. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners, therefore, contends that prima-facie no case is made out against the petitioners. The petitioner Nos. 1 and 2 has two criminal antecedents and petitioner no. 3 has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Similarly situated other co-accused person has been granted regular bail by this Court vide order dated 22.07.2025 passed in Cr. Misc. No. 26515 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Awtarnagar P.S. Case No. 85 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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