

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57559 of 2025

Arising Out of PS. Case No.-113 Year-2019 Thana- MAIRWAN District- Siwan

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Manu Rai S/o Ramjeet Rai R/o Village- Patauwa, P.S.- Darauli, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret information, 36 litres of illicit liquor kept in Bolero vehicle and three motorcycles were recovered. Three accused persons were apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Further submission is that petitioner is not named in the F.I.R., the name of the petitioner has been transpired in this case after lapse of five years on the ground that he is owner of one of the seized motorcycles i.e. Passion Pro bearing Reg. No. BR29-H-5972. It is submitted that the said motorcycle was sold to one Shambu



Singh on 03.07.2018 and in this regard, the copy of the sale deed is filed with the petition (Annexure-3). It is also submitted that co-accused Ravi Singh, who was arrested on the spot, is son of Shambu Singh. Petitioner has no concern with the seized illicit liquor or seized vehicles. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and 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 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 Exclusive Special Excise Court No.1, Siwan in connection with Mairwa P.S. Case No. 113 of 2019, 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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