

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59335 of 2025

Arising Out of PS. Case No.-176 Year-2021 Thana- BARSOI District- Katihar

Mantosh Singh Son of Nawal Kishore Singh R/O- Sabha Mahadaiya Sakra,
P.S.- Muzaffarpur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard Mr. Sanjeev Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Barsoi P.S. Case No. 176 of 2021 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 25.09.2021 by the informant, Ashok Kumar Dubey.

3. As per the prosecution story, the Police intercepted a Honda City and there is recovery/seizure of 167. 055 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the car belongs to Md. Sagar but he gave the name of this petitioner alleging that the car stands transferred to the petitioner, he has no role to play and only because of criminal antecedent,



implicated. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 20,000/- to the District Legal Services Authority, Katihar for beautification/for the purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Katihar Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that as per Md. Sagar, the car was transferred to the petitioner.

6. Taking into account the submissions of the parties as also that the original owner is Md. Sagar, FIR is there and he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 20,000/- to the District Legal Services Authority, Katihar for beautification/for the purchase of sanitary vending machine whichever is required in the Civil Court Campus of Katihar Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Katihar.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Court of Exclusive Special Excise Court-II, Katihar in connection with Barsoi P.S. Case No. 176 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. A copy of the order be sent to the Principal District and Sessions Judge, Katihar for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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