

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67634 of 2025

Arising Out of PS. Case No.-307 Year-2025 Thana- SARAIYA District- Muzaffarpur

Manoj Kumar S/O Rabindra Nath Rai Resident of Village- Mauna Mahima,
Goraul, Mauna Bishunpur, Himmat, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamika Kumari, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Saraiya P.S. Case No. 307 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution story, the Police upon information, intercepted Tata tempo and there is recovery/seizure of 60 liter foreign liquor and 120 liter of beer (totaling 180 liter foreign liquor). This led to the FIR.

4. Learned Counsel for the petitioner submits that the tempo does not belong to him, the person arrested, driver, Md. Raza has given the name which led to his implication. The last submission is that without accepting the allegation and/or the



outcome of the present case, he intends to contribute Rs. 10,000/- to the District Legal Services Authority, Vaishali for the beautification/purchasing of flower pots/purchase of sanitary vending machine whichever is required in the Civil Court Campus of Vaishali Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the person arrested, named him.

6. Considering the submissions of the parties as also the fact that the Tata tempo does not belong to him nor anything recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Vaishali for the beautification/purchasing of flower pots/purchase of sanitary vending machine whichever is required in the Civil Court Campus of Vaishali Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted to the Trial Court by the DLSA, Vaishali.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Muzaffarpur in connection with Excise P.S. Case No. 307 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

8. Let a copy of the order be sent to the learned Principal District and Sessions Judge, Vaishali for his/her perusal and needful.

(Rajiv Roy, J)

Vijay Singh/-

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