

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65144 of 2025

Arising Out of PS. Case No.-330 Year-2022 Thana- SABAUR District- Bhagalpur

Monu Kumar S/o Dheerendra Yadav @ Dharendra Yadav R/o Village -
Brahman Tola, P.S. - Sabour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Davendra Kumar Pandey, learned
counsel for the Petitioner and Mrs. Meena Singh, learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Sabaur P.S. Case No. 330 of 2022 dated 18.08.2022
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act (hereinafter referred as
'Excise Act').

3. The main submissions advanced by petitioner's
counsel are that the petitioner is not alleged to be present with
the apprehended co-accused Manish Kumar @ Karu Yadav and
he has been made accused mainly on account of he being the
registered owner of the alleged scooty from which the alleged



750 ml of foreign liquor (Blenders Pride) is said to have been recovered. It is further submitted that the petitioner bears no criminal antecedent and his past history is completely clean and he has not remained involved in any kind of offence relating to the Excise Act. It is lastly submitted that the material, upon which the prosecution has based its allegation against this petitioner, is not sufficient to show the petitioner's involvement in the alleged offence punishable under the Excise Act, under which the FIR has been registered, even *prima facie*, against this petitioner, so, his prayer for anticipatory bail is not hit by the provisions of Section 76(2) of the Excise Act.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. In the facts and circumstances of this case, as well as considering the submissions as stated above coupled with the clean antecedent of the petitioner, in my opinion, the petitioner deserves the relief of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court



concerned in connection with Sabaur P.S. Case No. 330 of 2022,
subject to the conditions as laid down under Section 482(2) of
the B.N.S.S.

(Shailendra Singh, J)

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