

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66366 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- BANJARIA District- East Champaran

1. Sonu Kumar S/O Manoj Sah R/O Village- Kaharwa Musahari Tola, P.S-Banjariya, District-East Champaran.
2. Pappu Manjhi S/O Birendra Manjhi R/O Village- Kaharwa Musahari Tola, P.S-Banjariya, District-East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioners and
the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Banjariya P.S. Case No. 121 of 2025, dated 25.02.2025, registered for the offences punishable under Sections 274 and 275 of the BNS and under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 50 litres of illicit country made liquor was recovered from a jute bag lying in a wheat field.

4. Learned counsel for the petitioners submits that



petitioners are innocent and they have falsely been implicated in the present case. He further submits that seizure has been made from an open place which is accessible to general public and the only allegation against these petitioners is that they fled away from the place of occurrence after seeing the police. He lastly submits that petitioner no. 1 carries one criminal antecedent of similar nature lodged in the year 2024 in which he is on bail and petitioner no. 2 claims clean antecedent.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioners and seizure has been made from an open place which is accessible to one and all, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. 1, East Champaran at Motihari, in connection with **Banjariya P.S. Case No. 121 of**



2025, subject to the conditions laid down under Section 438(2)
of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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