

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68500 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- NAYAGAON District- Saran

Monu Kumar son of Din Dayal Sharma Resident of village -Hasanpur Police station -Nayagaon District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-10-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Nayagaon P.S. Case no. 138 of 2025 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received and a raid being conducted, it is stated that 86.28 litres of IMFL was recovered from the bamboo clumps near the house of Manish Kumar son of Late Bharat Rai. Three accused persons were taken into custody while one of the accused who was later identified as the petitioner herein managed to escape.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession.



The only material against him is the statement of co-accused made before the police. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the alleged place of recovery being the bamboo clump near the house of co-accused Manish Kumar son of Late Bharat Rai, the petitioner not having been arrested at the spot and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Nayagaon P.S. Case no. 138 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra.

(Partha Sarthy, J)

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