

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69398 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- Lalitgram District- Supaul

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Mantu Kumar S/O Sushindar Bhadeswar R/O Vill.- Siripur, P.S- Pratapganj,
Dist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Lalitgram P.S. Case No. 06/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 45 liters illicit liquor from the motorcycle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner is not named in the FIR and his name has been surfaced in this case during course of investigation as the owner of the said motorcycle. The petitioner has given the



said motorcycle to his relative in good faith for emergency work and he has misused the same. The petitioner has no knowledge that the said motorcycle is being used for carrying illicit liquor. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has nothing to do with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 2, Supaul in connection with Lalitgram P.S. Case No. 06/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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