

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75974 of 2025

Arising Out of PS. Case No.-457 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

Manoj Sah Son of Rajdev Sah Resident of Village - Basdeopur Birt, P.S.-
Sahebganj, District - Muzaffarpur, Bihar. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition & Excise (Amended) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of recovery
of 255.620 litres of liquor from a Tata Magic vehicle. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and is not
the owner of the seized vehicle and he came to be implicated
based on the confessional statement of Nand Kishore Sah in police
custody which do not have any evidentiary value.

4. Learned A.P.P. opposes the anticipatory bail
application.

5. Considering the submissions made by the learned
counsel for the petitioner, the petitioner, above-named, in the event



of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.II, Muzaffarpur in connection with Sahebganj P.S. Case No.457 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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