

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2790 of 2026

Arising Out of PS. Case No.-941 Year-2025 Thana- SONEPUR District- Saran

Manoj Kumar Singh S/o Ram Pavitra Mahto R/o Village- Near Petrol Pump
Ward No. 1 Bhutahi @ Bhutahi, P.S.- Sonbarsa old (Bhutahi New), Dist.-
Sitamarhi, at present R/o Village- House No. 23V, Street no.2, Deep Bihar,
Ekjot Nagar, Fambra Road Ludhiana, P.O.- Central Post Office, P.S.- Basti,
Dist.- Ludhiana, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 83.07 litres of liquor from Mahindra XUV 500.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated based on the fact that he is
owner of the seized vehicle. It is further next that no prudent



person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Ratnesh Kumar Singh would misuse the vehicle in the manner as alleged who was also apprehended from the spot.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let 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 provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sonapur P.S. Case No. 941 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case, it would be presumed that petitioner had concealed his



antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner based on instruction submits that petitioner undertakes to deposit an amount of Rs.5,000/- with the Advocate Association of the Patna High Court.

(Satyavrat Verma, J)

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