

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8687 of 2026

Arising Out of PS. Case No.-118 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Manish Kumar @ Anurag Singh S/o Shankar Singh R/o vill - Ayodhya, P.S.-
Teghra, Distt.- Begusarai, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Akash Kumar Mishra, Adv.
For the State	:	Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise Case No. 118C2 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, on the basis of secret information 39.6 litre foreign liquor was recovered from the road side and petitioner and other managed to escape from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that petitioner bears criminal



antecedent of four cases in which he is on bail. Petitioner has been roped in a case one after another in a routine manner without any basis. He further submits that nothing has been recovered from conscious possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has no concern with the seized liquor. He further submits that petitioner being a labourer had gone outside to earn his livelihood and he had no knowledge regarding institution of the present case in the year 2019 and when he came to his house in October, 2025, he came to know regarding the present case and thereafter filed anticipatory bail petition. He further submits that source of secret information has not been disclosed in the official complaint case, which questions the authenticity of the prosecution story. He further submits that place of recovery is an open place and same is accessible to all and petitioner cannot be held responsible for the alleged recovery. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that name of petitioner finds place in the official complaint case and hence,



he cannot escape from the allegation made in the official complaint case.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, 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, Excise Judge-II, Begusarai in connection with Excise Case No. 118C2 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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