

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8693 of 2026

Arising Out of PS. Case No.-171 Year-2025 Thana- EXCISE MANJHAUL District-
Begusarai

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Ram Uday Tanti @ Uday Tanti S/o- Chhotan Tanti Resident of Village- Bank
(Bouk) Ward No- 9 PS- Dandari District-Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the State : Mr. Sanjay Kumar Sharma, 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 Manjhaul Excise P.S. Case No. 171 of 2025 registered for the offence punishable under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, 4 litre illicit liquor was recovered from motorcycle in question which was parked inside the house of the petitioner and local people as well as spy disclosed that seized liquor and motorcycle belonged to the petitioner.

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 though petitioner is owner of the motorcycle in question but the said motorcycle was parked inside the joint house of family of the petitioner and petitioner has no exclusive possession of said joint house and hence, petitioner cannot be held responsible for the alleged recovery. Petitioner bears no criminal antecedent. 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. 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 4 litre illicit liquor was recovered from the motorcycle in question which was parked inside the house of the petitioner and hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 Manjhaul Excise P.S. Case No. 171 of 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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