

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12384 of 2026

Arising Out of PS. Case No.-43 Year-2025 Thana- Excise P.S. District- Aurangabad

Manoj Kumar Son of Rajdeo Nonia @ Rajdev Chohan Resident of Village-
Bisrampur (Vishrampur), P.S.- Muffasil Aurangabad, District- Aurangabad
(Bihar) Pin- 824102

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2026 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 Sections 30(a) and
32(3) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 27 litres of liquor from a motorcycle and 54.6 litres
of liquor from an auto. 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
motorcycle but he came to be implicated based on the fact that
he is owner of the seized auto. It is next submitted 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 the petitioner was completely unaware that Dev would misuse his vehicle in the manner as alleged, who was also apprehended from the spot along with Ajeet.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Aurangabad Excise P.S. Case No.43/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, it would be presumed that petitioner had



concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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