

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30468 of 2026

Arising Out of PS. Case No.-78 Year-2026 Thana- PANDAUL District- Madhubani

Manoj Singh @ Surya Prakash Singh S/o Late Dilip Singh Resident of
Village- Sisauna, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Alias Ashok Karn, Adv.
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Pandaul P.S. case no. 78/2026 for the offence registered under sections 30(a) of Bihar Excise (Prohibition) Amendment Act, 2022.

3. As per the prosecution story, the Police on information, recovered/seized 1575 liter country made liquor near a mango orchard. Locals gave the name, petitioner included. This led to the FIR.

4. Learned counsel for the petitioner submits that he does not own the mango orchard, only because of criminal antecedent, implicated. He undertakes not to indulge in any criminal activity, if granted relief. Without accepting the allegation and/or the outcome of the present case, he intends to



contribute Rs. 15,000/- to the District Legal Services Authority, Madhubani for the purchase of flower pots for the Civil Court Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Further, learned counsel for the petitioner relied on the judgment of the Full Bench of Hon'ble Patna High Court in the case of **Ram Vinay Yadav vs. State of Bihar** reported in **2019 (2) PLJR 1089** wherein it has been held that an application for anticipatory bail in a case arising out of Bihar Excise and Prohibition Act can be maintained, despite the bar under Section 76(2) of the Act, if on the basis of allegation made in the FIR, no offence under the said provision is made out.

6. Learned APP opposes the prayer submitting that he has criminal antecedent.

7. Taking into account the submissions of the parties and the judgment in the case of **Ram Vinay Yadav (supra)**, as also that nothing has been recovered from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs.15,000/- to the District Legal Services Authority, Madhubani for the purchase of flower pots for the Civil Court



Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Madhubani in connection with Pandaul P.S. case no. 78/2026 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall be appearing before the Police Station as and when required for co-operating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be



submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. Let a copy of this order be sent to the learned Principal District and Sessions Judge, Madhubani for his perusal and necessary action.

(Rajiv Roy, J)

Vijay Singh/-

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