IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27899 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- MANSI District- Khagaria

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Rohit Kumar @ Rohit Chaudhary S/o Raj Kumar Chaudhary, Resident of Village- Khutiya, Ward No. 17, P.S.- Mansi, District- Khagaria.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Siddhartha Prasad, Advocate.
Mr. Shashank Shekhar, Advocate.
Mr. Rahul Kumar, Advocate.
Mr. Shantam Kriti, Advocate.
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 29-04-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mansi P.S. Case No.51 of 2026 instituted under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a/26 of the Arms Act.

3. As per the prosecution case, there is recovery of 35.100 liters of illicit foreign liquor from the house of co-accused Krishna Kumar. It is alleged that co-accused Krishna Kumar disclosed that petitioner is the supplier of the said liquor. It is also alleged that co-accused Krishna Kumar @ Bittu Kumar had thrown a *katta* on seeing the police team.

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4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of disclosure statement made by the co-accused Krishna Kumar. He further submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that except the disclosure statement of the co-accused, there is no material against the petitioner. Petitioner has no concern with the alleged seized liquor and the recovery is made from the house of co-accused with whom petitioner has no concern. He further submits that petitioner has two criminal antecedents, in which he is on bail and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the

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learned Special Judge Excise-I, Khagaria/ concerned Court in connection with Mansi P.S. Case No.51 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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