

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34237 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- TILAUTHU District- Rohtas

Munna Kushwaha @ Munna Kumar S/O Vijay Singh R/o Village- Madaripur,
P.S-Tillouthu, District- Rohtas, Bihar Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Tillouthu P.S. Case No. 25 of 2026, registered under
Section 30(a) of Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution story, which has been
lodged on the basis of the written information given by the
informant to the effect that while he was on routine patrolling
along with police personnel, he saw two vehicles i.e. one Hero
Passion Pro and one black colour scooty coming. Upon seeing
the police party, both the persons, who were riding the vehicles
tried to flee away, however they were apprehended by the police
personnel present there. The arrested persons disclosed their
names as Ashish Kumar and the person, who was driving the
black colour scooty disclosed his name as Aditya Kumar @
Monu. Upon search, 25 liter of country made liquor was
recovered from the Hero Passion Pro motorcycle and 15 liter of



country made liquor was recovered from Black colour scooty and the alleged country made liquor was seized and the seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence and has been falsely implicated in the present case. He submits that the petitioner has got no concern with the alleged seized liquor and, since he was not present at the place of occurrence, nothing has been recovered from him. His name transpired in the present case, since he happens to be the owner of the Black colour scooty, which was taken away by his villager, namely, Aditya Kumar @ Monu on the said date of occurrence. He further submits that the petitioner has got a clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the learned counsel for the parties and after going through the records, it appears that total 40 liters of country made liquor has been recovered from two vehicles. One of the seized vehicle i.e. black colour Scooty, from which 15 liter of country made liquor was recovered, being driven by Aditya Kumar @ Monu, was registered in the name of the petitioner and on the basis of the said recovery and seizure, the



name of the petitioner has transpired in the present case. He was not even present at the place of occurrence. The petitioner has got a clean antecedent. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No. 11, Rohtas, Sasaram in connection with Tillouthu P.S. Case No. 25 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

Ajay/Kunal/-

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