

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52662 of 2026

Arising Out of PS. Case No.-9 Year-2025 Thana- SITAMARHI District- Nawada

Manoj Kumar S/O Late Chandramohan Roy Resident of Hasanpur Halt, ward
No. 14, P.S- Rajgir, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Sawarn

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sitamarhi P.S. Case No.09 of 2025, registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 14 litres of liquor from a motorcycle.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
vehicle but then the vehicle was stolen and despite best



endeavours of the petitioner the FIR could not be instituted on the ground that insurance of the motorcycle had expired.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that it absolutely does not stand to reason that as to why the FIR could not have been instituted had the insurance of the motorcycle expired as criminal case has nothing to do with insurance laws. It is also submitted that it appears to be a ploy of the petitioner to save himself from the occurrence, as from the pleading it manifests that the motorcycle was stolen in the year 2019 and the instant FIR was instituted in the year 2026, as such it does not appear probable that for last seven years, the petitioner without instituting an FIR was roaming at his leisure.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

