IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80576 of 2026

CNR No. BRHC011167522026

Arising Out of PS. Case No.-286 Year-2020 Thana- GOVERNMENT OFFICIAL COMP. District- East Champaran

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Manish Kumar Son of Rakesh Baitha @ Rakesh Kumar Resident of Village-Chainpur, Dhaka, P.S.- Dhaka, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 286 of 2020 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. As per the prosecution case, the police has recovered total 72 liters of Nepali liquor from a motorcycle bearing Registration No. BR30J2761.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. By referring to the statement made in the

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anticipatory bail petition it is submitted that the said motorcycle bearing registration No. BR30J2761 was sold to one Dheeraj Kumar son of Upendra Paswan in the year 2019 itself and petitioner is ready to identify the said purchaser as and when the investigating officer would require him to do so. It has next been submitted that despite requisite paper having been signed in favor of said Dheeraj Kumar, purchaser, who did not get the said motorcycle registered in his name because of which this petitioner, on recovery of said Nepali liquor made from the motorcycle, has been implicated, while the petitioner has clean antecedent and is ready to cooperate with the investigation.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that recovery has been made from a motorcycle which was already sold to one Dhiraj Kumar and petitioner is ready to cooperate with the investigation, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/ (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special

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Excise Judge-II, East Champaran, Motihari in connection with Excise P.S. Case No. 286 of 2020, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) 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;

(iii) 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;

(iv) 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.

(Ajit Kumar, J)

Prakash/-

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