

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23432 of 2018**

Arising Out of PS. Case No.-155 Year-2018 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

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Manish Kumar, S/o Anil Kumar, R/v Waini Pusa Road, P.S.- Pusa, District-  
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2     26-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in connection with  
Samastipur Mufassil P.S. Case no. 155 of 2018 registered under  
Sections 30, 36, 38, 41 and 47 of Bihar Prohibition & Excise  
Act-2016.

14.580 lts. of foreign liquor is said to have been  
recovered from the motorcycle and driver of the motorcycle  
managed to escape while petitioner who happens to be pillion  
rider was apprehended.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from conscious  
physical possession of the petitioner. He has no concern either



with the seized liquor or with the motorcycle in question. He happens to be simple pillion rider and had no knowledge of keeping the said liquor in the cartoon by its driver. He has no criminal antecedent. He has been languishing in custody since 19.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J-III-cum-Special Judge, Excise Act, Samastipur in connection with Samastipur Mufassil P.S. Case no. 155 of 2018.

**(Prakash Chandra Jaiswal, J)**

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