

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60453 of 2018

Arising Out of PS. Case No.-264 Year-2018 Thana- MUFFASIL District- West Champaran

Manoj Rai @ Sanjeev Kumar S/o Late Gopalji Ray, R/o Vill.- Gonauli Ward
No. 12, P.S.- Bettiah (Muffasil) District- West Champaran at Bettiah.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Upadhyay Saurav, Adv.

For the Opposite Party/s : Mr. Rajkishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 06-10-2018 Heard Sri Upadhyay Saurav, learned counsel for the
petitioner and Sri Rajkishore Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Bettiah
(Muffasil) P.S. Case No. 264 of 2018 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016, has prayed for grant of bail, in the event of his arrest or
surrender.

At the very outset, learned counsel for the petitioner
has drawn my attention to the statement made in paragraph-3 of
the petition to show that the petitioner is having clean
antecedent. He further submits that in this case, recovery of
Indian Make Foreign Liquor was shown from the house of one
Kishori Yadav and on confession made by the said accused,
petitioner's name has come in the present case. He further
submits that save and except confessional statement of co-



accused, there is no other plausible material to connect the petitioner in the present case.

Considering the fact that petitioner is having clean antecedent and nothing was recovered from the conscious possession of the petitioner as well as the fact that he has been made accused on the basis of confessional statement of co-accused, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Manoj Rai @ Sanjeev Kumar be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, West Champaran at Bettiah in connection with Bettiah (Muffasil) P.S. Case No. 264 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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