

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6766 of 2019

Arising Out of PS. Case No.-254 Year-2018 Thana- SOHSARAI District- Nalanda

MANOJ PRASAD, aged about 40 years, male, son of Amirakh Ram,
Resident of Village-Bichali Uran (Patel Nagar), P.S.-Sohsarai, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case as per the written report of Yogendra
Prasad, A.S.I., Sohsarai P.S. submitted to the S.H.O., Sohsarai
P.S. is to the effect that on 08.12.2018, he received a secret



information that one person has stored illicit liquor for the purpose of sell. Whereupon, a raid was laid and co-accused, Rajesh Kumar was apprehended from the scene, from whose possession, four litres of illicit liquor was recovered. It is further alleged that the name of the petitioner sprang up on the confession statement of the apprehended co-accused person.

It is submitted by learned counsel for the petitioner that no recovery has been made from the conscious physical possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of the apprehended co-accused person, from whose possession the alleged recovery was made.

Considering the suspicious nature of accusation, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned **6th Additional District and Sessions Judge-cum-Special Judge Excise, Nalanda, Bihar Sharif**, in connection with **Sohsarai P.S. Case No.254 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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