

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19549 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- AANDAR District- Siwan

Manish Kumar Singh, Son of Late Ganga Sagar Singh Resident of Village -
Pipra, P.S.- Mairwa, Distt - Siwan, At present R/o Village - Srinagar Mairwa,
P.S.- Mairwa, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
21.01.2019 in a case registered for the offences punishable
under Sections 272, 273, 308 of the Indian Penal Code and
Sections 30, 30(a) and 41(1) of the Bihar Prohibition and Excise
Act, 2016.

It is alleged that on the basis of a secret information, a
Scorpio vehicle was intercepted from which, 302.300 litres of
Indian Made Foreign Liquor were recovered. The petitioner
confessed his guilt about his involvement in the present case in
some other case.

It is submitted by learned counsel for the petitioner



that the recovery has not been made from the conscious physical possession of the petitioner and similarly situated co-accused persons namely, Angesh Pathak and Anuj Pandey have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.09.2018 and 29.10.2018 passed in Cr. Misc. Nos. 52775 of 2018 and 65570 of 2018 respectively. Though, the petitioner is accused in two other cases of similar nature.

Learned APP submits that the petitioner has confessed his guilt and he is accused in other cases of similar nature.

Considering the fact that the prosecution report does not suggest the recovery from the conscious physical possession of the petitioner, let the above named petitioner be released 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 Additional Sessions Judge 2nd -cum- Special Judge, Excise, Siwan in connection with Ander P.S. Case No. 115 of 2018.

(Dinesh Kumar Singh, J)

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