

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.58257 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- SARE District- Nalanda

MANISH KUMAR, aged about 37 years, Male, Son of Gorendra Prasad,
Resident of Village - Bhikhani Bigha, P.S.- Sare, Dist.- Nalanda

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party : Mr. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Sare P.S. Case No. 49 of 2019 for the offences alleged under
Sections 30(a)(c)(d), 33 and 36 of the Bihar Prohibition and
Excise Act, 2016.

The accusation is that on receiving secret information
about keeping the illicit liquor in the dilapidated house of
Kailash Mahto in village Bhikhani Bigha, Sare, Nalanda, the
informant along with other police officials reached there. On
seeing the police party six persons started to flee away from
there while they were chased, but, they fled away. They were
identified as Manish Kumar (petitioner), Narendra Mahto, Sonu
Kumar, Bannu @ Amit, Dhananjay Kumar and Bikesh @ Baba.
On search 2700 bottles, each containing 180 ml of country made
liquor, machine for packing the bottles with small gas cylinder
and white small empty pouches for packing the illicit liquor
recovered from there.



The submission of the learned counsel for the petitioner is that the petitioner was not apprehended on the spot rather the name of the petitioner and four others have surfaced on the identification of local Chowkidar. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sare P.S. Case No. 49 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge III-cum-Special Judge, Excise, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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