

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81116 of 2019

Arising Out of PS. Case No.-204 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

MANISH SONAR @ MANISH KUMAR SONI Son of Mahendra Seth
Resident of Village - Hatta, P.S.- Chainpur, Distt - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Excise Case No. 688 of 2018 arising out of Chainpur P.S. Case
No. 204 of 2018 registered for the offence punishable under
section 30(a) of the Bihar Prohibition of Excise Act.

As per allegation in the FIR, 1.620 litres of IMFL
was seized from the dicky of a parked motorcycle. It appears
that in course of investigation it transpired that although the
motorcycle is registered in the name of mother of the petitioner,
however, the same was being driven by this petitioner.

It is submitted by learned counsel for the petitioner
that allegation of recovery is false and concocted. No recovery
as alleged has taken place. The petitioner was not caught at the



place of occurrence. He is in custody since 16.09.2019 and as per information received, charge sheet has been submitted in this case.

The application for bail is opposed by learned APP for the State by submitting that petitioner has two other cases pending against him both under the Excise Act and, as such, this is not a fit case for grant him bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case that two cases under the Excise Act are pending against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his application for bail is rejected.

However, if so advised, petitioner may renew his prayer for bail after completing six months in custody.

(Partha Sarthy, J)

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