

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9464 of 2020

Arising Out of PS. Case No.-144 Year-2019 Thana- KAMTAUL District- Darbhanga

Manoj Singh @ Manoj Kumar Singh (Male) aged about 39 years, Son of Late Rajeshwar Singh, Resident of Village- Belwara, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashankar Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Kamtaul P.S. Case No. 144 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the Police on the basis of secret information raided the house of the petitioner and upon seeing the Police party one person started fleeing away, who was identified by the Mahal Chaukidar as Manoj Singh @ Manoj Kumar Singh i.e. the petitioner and the Police recovered a total quantity of 60 liters of illicit foreign liquor from an under construction house, which is situated on



the Western side of the house of the petitioner. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case with oblique motive by the Police. Learned counsel further submits that from perusal of the First Information Report and the seizure list, it would be evident that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner. Learned counsel further submits that illicit liquor has been recovered from an under construction house situated on the Western side of the house of the petitioner, which is accessible to all and sundry.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge



cum Special Judge (Excise Act), Darbhanga in connection with
Kamtaul P.S. Case No. 144 of 2019 , subject to the condition as
laid down under Section 438 (2) of the Code Of Criminal
Procedure.

(Anil Kumar Sinha, J)

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