

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.172 of 2020

Arising Out of PS. Case No.-710 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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MANISH KUMAR Son of Rajendra Singh, Resident of Raksa, P.S.-Karza,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-06-2020 Heard both sides through Video Conferencing.

Petitioner apprehends his arrest in Kanti P.S. Case
No.710 of 2019 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant on secret information intercepted a truck
bearing registration no.BR06E-4151 but the driver and other
persons sitting on the truck managed to flee away. On search,
1727.680 litres of Indian made foreign liquors of different
brands was recovered. The informant alleged that many persons
assembled there and on query, assembled persons disclosed that
Manish Kumar (petitioner) and other used to bring consignment
of liquor and indulged in selling liquor in the area.

Learned counsel for the petitioner submits that the



informant did not disclose the name of the persons from whom he got information about involvement of the petitioner in bringing illegal consignment of liquor. The petitioner has got no criminal antecedent. The informant named the petitioner without any material on record.

Learned A.P.P., however, opposed the prayer for anticipatory bail.

It appears that of course the informant intercepted a truck and disclosed that the driver, cleaner and other accused managed to flee away from the truck but the informant got information from the people assembled there although their names have not been disclosed. To support the allegations made against the petitioner, there appears no material either in the F.I.R. or in the case-diary as appears from perusal of the order of the learned Sessions Judge. Therefore, the petitioner deserves anticipatory bail.

Having considered the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Special Judge, Excise Act, Muzaffarpur
in connection with Kanti P.S. Case No.710 of 2019, subject to
conditions as laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Prabhat Kumar Jha, J)

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