

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33593 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- CHANDAN District- Banka

MANISH KUMAR @ MONISH KUMAR S/O ARVIND YADAV R/o
village- Kumedan Tola, P.S.- Simri Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and Mr. Surendra Kumar, Additional
Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Special Excise Case No. 240/2021 arising out of Chandan PS
Case No. 52/2021 registered for the offence punishable under
Sections 30(a)(g) and 32(2) of Bihar Prohibition & Excise Act
2016.

The allegation, as per First Information Report, is that
the police intercepted a tempo and recovered 90 litres of illicit
liquor from the same. It is further alleged that two persons were
arrested by the police on the spot who disclosed the name of
petitioner stating that the petitioner had brought the liquor and
was escorting the said tempo containing the illicit liquor.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
disclosure of his name by the arrested co-accused persons.



Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the vehicle belonging to him.

Learned counsel for the petitioner further submits that petitioner is in custody since 27.03.2021 and the charge-sheet in the matter has been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the vehicle belonging to him, petitioner is in custody since 27.03.2021 and the charge-sheet in the matter has been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MANISH KUMAR @ MONISH KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-Banka in connection with Special Excise Case No. 240/2021 arising out of Chandan PS Case No. 52/2021.

(Anil Kumar Sinha, J)

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