

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38308 of 2020

Arising Out of PS. Case No.-181 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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MANISH KUMAR SAH, S/o Devendra Sah, R/o Mokhtiyarpur Salkhanni
Dalsinghsarai, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Government
Official Case No.181 C 2 of 2019, registered for the offences
punishable under Sections 30(a)/32/41/56(a) and 56(b) of Bihar
Excise and Prohibition Amendment Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that there is no recovery
from the conscious possession of the petitioner rather 308.985
liters of foreign liquor was recovered from a Mahindra Bolero
Pick up vehicle and the said vehicle is used for commercial
purpose. Petitioner is the owner of the said vehicle. It is lastly



submitted that the petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.20,000/- (rupees twenty thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No. 2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender within a period of six weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd-cum-Special Judge (Excise Act), Lakhisarai in connection with Government Official Case No.181 C 2 of 2019, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.20,000/- (rupees twenty thousand) in the Chief Minister Relief Fund Bihar.

(Anjani Kumar Sharan, J.)

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