

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27719 of 2022**

Arising Out of PS. Case No.-335 Year-2021 Thana- SISWAN District- Siwan

NITISH KUMAR @ NITISH KUMAR MANJHI SON OF PUNDEV
MANJHI @ PUNDEV DUSADH RESIDENT OF VILLAGE-
PURUSHOTTAM MUDA, P.S- SISWAN , DIST- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 11-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 272 and 273 of the Indian Penal Code and 30(A) and 38(B) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 19 litre of liquor from a place near New Primary School.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that the place from where the alleged recovery was



made, is accessible to public at large and the petitioner came to be implicated based on information disclosed by the local people, the learned counsel for the petitioner submits that it appears that it has become a modus for implicating innocent persons in the manner in which it has been done in the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siswan P.S. Case No. 335 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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