

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43973 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

MANOJ RAI Son of Raja Ram Rai Owner of I-10 Car Registration
no.BR06BV-0423, Resident of Village - Chakhaji (Gopalpur Gopal), P.s.-
Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with
Bochahan P.S. Case no. 109 of 2022 instituted for the offence under
Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 6 litres of IMFL
from a car and from the spot co-accused Raja Kumar and Uday
Kumar were arrested, who disclosed the name of the petitioner as one
of his associates.

Learned counsel appearing on behalf of the petitioner has
submitted that petitioner is innocent and has committed no offence.
He has got no criminal antecedent. Petitioner has no concern with the
alleged recovery or with the apprehended accused persons. The name



of the petitioner has been disclosed in this case by co-accused Raja Kumar before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bochahan P.S. Case no. 109 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No., Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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