

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51608 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- KHAGAUL District- Patna

MANISH KUMAR @ PINTU Son of Parmod Kumar Residence of Sultanpur
Ward No.-14, Lal Kothi, Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act and Sections 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 2689.875 litres liquor from a truck.

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 petitioner is neither the owner nor the driver of the said truck and his name transpired in the confessional



statement of one Krishna Kumar which has no evidentiary value.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is trying to obtain bail by suppressing the correct facts, it is next submitted that petitioner has antecedent of nearly five cases but in the anticipatory bail application, the petitioner has stated that he has antecedent of only one case.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 6360 of 2021 arising out of Khagaul P.S. Case No. 240 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with a further condition that one of the bailors of the petitioner shall be his father, Parmod Kumar.

The learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the



petitioner and in the event, if it is found that the petitioner has antecedent of more than one case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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