

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52753 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- SAHPUR District- Patna

MANISH KUMAR S/O MAHANAND SAW Resident of village-
Shiwalapar, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a), 32(iii), 56 and 41 of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

Allegation is of recovery of 72 litres of liquor from a car,
60.3 litres of liquor from the house of Late Mahanand Sao.

Learned counsel for the petitioner submits that petitioner
was not arrested from the spot, as such, nothing was recovered from
his conscious possession and he came to be implicated in the present
case as his name transpired in the confessional statement of Indu
Devi who is his mother. Learned counsel further submits that it has



been specifically pleaded at para 8 of the anticipatory bail application that house is a joint family property and the police in mechanical manner instituted the FIR. Learned counsel also submits that petitioner is neither the owner nor the driver of the car. However, at the cost of repetition, it is submitted that petitioner is a person with clean antecedent and nothing was recovered from his conscious possession.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two 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 Sahpur P.S. Case No. 76 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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