

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56187 of 2022

Arising Out of PS. Case No.-589 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

-
1. MANISH SAH @ MANISH KUMAR S/O PINTU SAH @ PALTU GUPTA
Resident of village- Jalalpur, P.S.- Kuchaikote, District- Gopalganj.
 2. ABHINAYA KUMAR @ ABHINAY KUMAR SINGH S/O RAMAKANT
SINGH @ RAMAKANT RAI Resident of village- Galimpur, P.S.-
Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-11-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition, so far as petitioner no. 2 (Abhinaya Kumar @ Abhinay Kumar Singh) in concerned.

Permission is accorded. The anticipatory bail petition, in respect of petitioner no. 2, stands dismissed as withdrawn.

The petitioner no. 1 (now sole petitioner) apprehends his arrest in a case registered for the offence under Sections 414 / 34 of the I.P.C. and Sections 30(a), 41(1) of Bihar Prohibition and Excise Act.

Total 584 liters of foreign liquor has been recovered from a Scorpio vehicle.



It is submitted on behalf of petitioner that petitioner is neither owner nor driver of the vehicle in question and has got no concern with the alleged recovery and nothing has been recovered from the conscious possession of the petitioner. Petitioner claims clean antecedent.

Considering the nature of allegation and clean antecedent of petitioner, let petitioner no. 1 namely Manish Sah @ Manish Kumar Gupta @ Manish Kumar, in the event of his arrest or surrender within a period of six weeks from the date of receipt / production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Gopalganj P.S. Case No. 589 of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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