

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69053 of 2021**

Arising Out of PS. Case No.-122 Year-2021 Thana- KEWATI District- Darbhanga

Manish Kumar Ray Son of Kishori Ray @ Kishori Roy Resident of Village-
Kaluahi Dhanga, P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

2 25-02-2022 Heard learned counsel for the petitioner and Shri

Umeshanand Pandit, learned A.P.P. for the State through virtual

court proceedings.

The petitioner seeks bail in connection with Keoti P.S.

Case No. 122 of 2021 instituted for the offences under Sections

353, 302, 120(B) and 34 of the Indian Penal Code read with

Section 30(a) of the Excise Act.

Learned counsel for the petitioner submits that the

petitioner is in custody since 17.07.2021, is a person with clean

antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the

allegation is of recovery of 450 litres of liquor from a Scorpio

vehicle which dashed a police official who died during the

course of treatment and the petitioner was apprehended from the



car.

Learned counsel for the petitioner submits that the petitioner was not the driver of the car rather he was sitting beside the driver and as such the occurrence was committed by the driver who was trying to flee knowing that liquor was loaded in the vehicle.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that it is not only a case under the Excise Act but it is a case under Section 302 of the I.P.C. also and the petitioner was found present in the offending vehicle which dashed the police official who were discharging their duty as a result of which he died subsequently during the course of treatment.

In the nature of allegations, the Court is not inclined to grant bail to the petitioner. His prayer for bail is thus refused.

(Satyavrat Verma, J)

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