

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57508 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- BEUR District- Patna

MANOJ KUMAR @ DOMAN Son of Jairam Singh Resident of
Harishchandra Nagar, Road No. B-2, P.S.- Beur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 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 Beur P.S. Case no. 213 of 2022 instituted for the offence
under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 27 litres of
IMFL kept in a drum beside the road and villagers disclosed
name of petitioner with other two co-accused persons.

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 place of
occurrence. The name of the petitioner has been disclosed in this



case by the villagers 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. One motorcycle was also seized parked nearby the place of occurrence, of which owner Sunu Kumar has already been granted bail by a different co-ordinate Bench of this Court.

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 Beur P.S. Case no. 213 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 Special Judge, Excise, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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