

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.858 of 2022

Arising Out of PS. Case No.-390 Year-2020 Thana- SURSAND District- Sitamarhi

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MANISH KUMAR Son of Jiwachh Prasad Resident of Village - Sursand ,
Near Kala Mandir , P.s.- Sursand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sursand
P.S. Case No. 390 of 2020 instituted for the offences under
Sections 414, 467, 468, 471 and 120(B) of the Indian Penal
Code read with Sections 30(a), 36, 41 and 41(1) of the Excise
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.11.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that the
allegation is of recovery of 4617.48 litres of liquor from a truck
apart from liquor recovered from different vehicles in the garage
of Ram Nath Thakur and Pankaj Thakur as detailed in the F.I.R.



Learned counsel for the petitioner submits that the petitioner was not arrested from the spot and his name transpired in the confessional statement of co-accused Ram Babu Sah. Learned counsel submits that confession made before the police has no evidentiary value.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case, he was not arrested from the spot and his name came in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Sursand P.S. Case No. 390 of 2020.

(Satyavrat Verma, J)

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