

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68513 of 2022

Arising Out of PS. Case No.-342 Year-2019 Thana- MUNGER MUFFASIL District- Munger

MANISH KUMAR S/O Mohan Prasad Sharma R/O - Indra Mohan Bhawan,
Malighat Opposite BMP-6, Kanhauli, P.S- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30/32 of the Bihar Prohibition and Excise Act.

44.640 litres of foreign liquor has been recovered from a tempo. Petitioner is the owner of the said tempo.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner has sold the said tempo to Kundan Kumar and Kundan Kumar was apprehended at the spot. It is further submitted that there is no



recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let 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 enlarged 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 Exclusive Special Judge, Excise-II, Munger in connection with Muffasil P.S. Case No.342 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by



the learned court below on showing receipt of deposit of the
aforesaid amount in the Patna High Court Legal Services
Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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