

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17232 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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MANISH KUMAR @ CHHOTU KUMAR S/O NARAYAN PRASAD
SINGH @ DEO NARAYAN SINGH R/v- Kanhausi (Kanausi), P.S.-
Gadhpora, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32 (ii) (iii) and 41(i) (ii) of the Bihar Excise Act and Sections 188, 290 and 120 (B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 1440.825 liters of liquor recovered from a truck.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is neither the owner nor the driver of



the truck and his name transpired in the confessional statement of co-accused which does not have any evidentiary value.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Cheriya Bariyarpur in P.S. Case No. 311 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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