

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14070 of 2023

Arising Out of PS. Case No.-149 Year-2021 Thana- SINGHESHWAR District- Madhepura

Manish Kumar Jaiswal @ Manish Chaudhary @ Manish Jaiswal S/O Arun Choudhary @ Arun Kumar Jaiswal R/O Village- Raghapur Wrad No- 12, P.S- Raghapur, District- Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 41(1) of the Bihar Prohibition and Excise Act and Section 120(b) of I.P.C.

Prosecution case relates to recovery of 4466.495 litres of I.M.F.L. from a Truck bearing Reg. No. WB-23B-6402. Driver of the said Truck, namely, Sheikh Firoj was apprehended on spot who disclosed the name of petitioner and other co-accused persons as they were



also involved in the trade of liquor.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 19.01.2023. Other co-accused persons have been granted Bail vide order dated 05.08.2022, passed in Cr. Misc. no. 28174 of 2022 by this Court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Session Judge v-cum-Special Judge, Excise Act 1st, Madhepura in connection with Singheshwar P.S. Case No. 149 of 2021.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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