

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17422 of 2023

Arising Out of PS. Case No.-380 Year-2021 Thana- SARAIYA District- Muzaffarpur

MANISH MOHAN S/o Satyendra Narayan Singh Resident of Village-
Nazirpur Shekhpura, P.S.-Sheikhpura, District-Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Pratap, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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 272, 273, 414 and 34 of the Indian Penal Code and under Section 30(a) of the Bihar Excise Act and under Sections 25(1-B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 172.80 liters of liquor from the vehicles as detailed in the F.I.R., further Sudhir, Saurav, Rahul and Deepak were arrested from the spot and from Sudhir one country made pistol along with a live cartridge was



recovered while from other accused mobile phones were recovered.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is not named in the F.I.R., which admittedly shows that the accused who were arrested did not disclose his name or else the petitioner would have been named in the F.I.R. It is further submitted that the name of the petitioner transpired during investigation that one of the vehicles was of the petitioner. The learned counsel next submits that the petitioner had given the vehicle to his friend, as no prudent person would use his own vehicle for committing a crime and thus would get implicated easily.

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. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saraiya P.S. Case No. 380 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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