

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22857 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- ATHMALGOLA District- Patna

MANCHAN KUMAR @ MANIKCHAND KUMAR Son of Swarath Ram
Resident of Village - Bariyarpur, P.S.- Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 25 liters of liquor from bank of river Ganga kept in a plastic sack from where one motorcycle was also seized.

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 even the recovery is from a place which is accessible to public at large and petitioner is not the owner of the motorcycle



and came to be implicated by the *Chowkidar* with whom he is on an inimical term,

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 Athmalgola P.S. Case No. 01 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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