

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38771 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- KALYANPUR District- East Champaran

MANORANJAN SINGH SON OF PITAMBAR SINGH RESIDENT OF
VILLAGE- PATTI JASAULI, PO AND PS -KOTWA, DISTT- EAST
CHAMPARAN Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard Mr. Pravin Kumar, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Kalyanpur PS Case No. 77/2023 dated 02.03.2023 registered for

the offence punishable under Sections 30(a), 41(i) of Bihar

Prohibition & Excise Amendment Act, 2018.

3. As per FIR, the police intercepted a tempo in

which the petitioner was also sitting and upon seeing the police

party, the petitioner fled away. However, the tempo driver was

arrested who disclosed the name of the petitioner and also stated

that the petitioner along with others were carrying the liquor in

his tempo for the purpose of selling it in the Holi festival.

4. Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged



and no illicit liquor has been recovered from his conscious possession and neither the tempo belongs to him. His name has transpired on the basis of statement made by the tempo driver from whose vehicle, 57.600 litres of illicit liquor has been recovered.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that no liquor has been recovered from the conscious possession of the petitioner nor the vehicle belongs to the petitioner from where the recovery of illicit liquor has been made, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Motihari, East Champaran in connection with Kalyanpur PS Case No. 77/2023, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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