

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40762 of 2023**

Arising Out of PS. Case No.-259 Year-2023 Thana- AURANGABAD TOWN District-  
Aurangabad

=====

MANISH KUMAR Son of Ajay Singh @ Late Ajay Prasad Singh Resident of  
Mohalla - Shahpur Akhara, P.S. - Aurangabad (Town), distt. - Aurangabad  
(Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Ms. Kumari Chandna, Advocate

For the Opposite Party/s : Ms. Meena Singh, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      04-07-2023                      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 offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that  
petitioner has antecedent of one case.

Allegation is of recovery of 34.380 litres of liquor  
from a motorcycle.

Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is further submitted  
that petitioner came to be implicated being the owner of the  
motorcycle. It is next submitted that no prudent person would



use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Mukesh Kumar would misuse the vehicle in the manner as alleged as he was also apprehended from the spot.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Aurangabad (Town) P.S. Case No. 259 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

