

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43635 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

MANISH KUMAR S/O MOHAN PRASAD R/O Village- Sodhana
Madhopur, P.S- Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Mohammadpur P.S. Case No.261/2022, registered for offence
punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. Allegedly 1114.92 litres of foreign liquor is said to have
been recovered from the Pickup vehicle of the petitioner.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He is made accused in this case on the
basis that he is the owner of the said pick up van. He has not
been apprehended on the spot nor any incriminating article has
been recovered from his conscious physical possession. He has
no concern with the recovery of the illicit liquor or any trade of



liquor. The said vehicle was newly purchased by the petitioner and was taken on hire by the driver as the same was for running on rent. Petitioner has four criminal antecedent of similar nature of offence.

5. Having regard to the facts and circumstances of the case, since the petitioner has four criminal antecedent of similar nature of offence, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

6. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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