

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44661 of 2023

Arising Out of PS. Case No.-279 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Manish Kumar, Son Of Subodh Kumar @ Subodh Yadav Village- Rahika
Tola Ward No-13, Ps- Murliganj Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav

For the Opposite Party/s : Mr/s.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 of the I.P.C. and Sections 30(a), 32, 41, 47 of
the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 251.640 litres of liquor from an auto.

4. The 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 next submitted
that he came to be implicated based on the ground that he is
owner of the seized auto. It is further submitted that no prudent



person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that petitioner was completely unaware that Niranjana Kumar would misuse the vehicle in the manner as alleged as he was also arrested from the spot.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Kishanganj in connection with Kochadhaman P. S. Case No.279 of 2021 dated 05.10.2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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