

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47138 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- PATEPUR District- Vaishali

Manish Kumar @ Lalu, Son Of Surendra Singh @ Bikhari Singh Resident Of
Village - Modah Chatur, P.S. - Patepur, Distt. - Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suruchi Anand

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-07-2023 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
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and the allegation is
of recovery of 108 litres of liquor from two motorcycles and one
Scorpio vehicle as detailed in the F.I.R.
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 and he came to be
implicated based on confessional statement of Rahul Kumar and
Ankit Kumar in police custody, which does not have any



evidentiary value. It is next submitted that petitioner is not the owner of the seized vehicle.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned I/c Exclusive Special Prohibition and Excise Court (Second), Vaishali at Hajipur in connection with Vaishali (Patepur) P. S. Case No.148 of 2023, 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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