

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50630 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- DEWARIA District- Muzaffarpur

Manish Kumar Singh @ Manish Singh Son Of Subhnarayan Singh Resident
Of Village- Dumari Permanandpur, Ps- Deoriya, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Deoriya P.S.
Case No. 100 of 2023 registered for the offences punishable
under Sections 272, 273, 34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016-
2018, pending in the Court of learned Spl. Judge Excise, Court
No.-II, Muzaffarpur.

3. As per the prosecution case, allegation against
the petitioner is of recovery of 13.245 liters of illicit foreign
liquor from his motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that petitioner has been implicated in this case merely on suspicion. He further submits that nothing has been recovered from conscious possession of the petitioner. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that petitioner is the owner of the said motorcycle from which illicit foreign liquor was being transported which shows that he was actively involved in illicit trade of foreign liquor. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the fact that petitioner is owner of the said motorcycle, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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