

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68600 of 2022

Arising Out of PS. Case No.-189 Year-2019 Thana- MANJHI District- Saran

ABHISHEK KUMAR S/O GOPAL RAI Resident of village- Nagara, P.S.-
Nagara, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Manjhi P.S. Case No. 189 of 2019 for the offence
registered under Sections 30, 30(g) and 38(i)(ii) Bihar
Prohibition of Excise Act.

As per the prosecution story, the police intercepted
motorcycle and 4 litres Beer was recovered from it while some
accused persons escaped, the others who were taken into
custody named him.

Learned counsel for the petitioner submits that
neither the motorcycle belongs to him nor he had anything to do
with the alleged recovery. Further, he do not have any criminal



antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the fact that the motorcycle does not belong to him and do not have criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Session Judge IInd Cum Special Judge Excise, Saran at Chapra in connection with Manjhi P.S. Case No. 189 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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