

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69550 of 2023

Arising Out of PS. Case No.-867 Year-2023 Thana- KAHALGAON District- Bhagalpur

Manish Kumar Yadav Son of Arun Yadav Resident of Village - Lahoriya, P.S.
- Dhauraiya, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Excise Case No.3658 of 2023 arising out of Kahalgaon (Shivnaranpur) P.S. Case No.867 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 100 litres of country made liquor has been recovered from the motorcycle of the petitioner, which was lent to one Pintu Kumar Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and his motorcycle had been taken by his brother-in-law Pintu Kumar Yadav two days back of the alleged occurrence. The petitioner has no concern with the alleged recovery and he



had no knowledge about the said occurrence. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 12-cum-Special Excise Judge II, Bhagalpur in connection with Special Excise Case No.3658 of 2023 arising out of Kahalgaon (Shivnaranpur) P.S. Case No.867 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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