

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74081 of 2022

Arising Out of PS. Case No.-225 Year-2022 Thana- GOPALPUR District- Gopalganj

MANISH KUMAR S/O Ramesh Kumar Singh R/O Adampur, P.S- Goraul,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Choudhary

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Gopalpur P.S. Case No. 225 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 286.560 liters of illicit liquor from a pick-up van and the petitioner is stated to have been arrested from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 12.11.2022. The learned counsel for the petitioner has further submitted, by referring to paragraph no. 7 of the present petition that he was merely a passenger of the said pick-up van and only since he did not consent to becoming a seizure witness, he has been falsely made an accused in the present case. It is further submitted that the petitioner is neither the driver nor the owner of the pick-up van in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge-IV cum Exclusive Special Excise Court-II, Gopalganj in connection with Gopalpur P.S. Case No. 225 of 2022.

(Mohit Kumar Shah, J)

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