

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74394 of 2022

Arising Out of PS. Case No.-565 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Manish Kumar @ Marandi Son Of Anil Thakur @ Amit Kumar Resident Of
Subhash Nagar, Road No.- 02, Mohalla - Khemanichak, P.S.- Ram Krishna
Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Rajendra Singh Shastri

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Ramkrishna Nagar P.S.
Case No. 565 of 2022 registered under sections 30(a), 32(ii) (iii)
and 41 of the Bihar Prohibition and Excise Amendment Act.

The prosecution case in short is that the patrolling
team reached near Earth Hospital near Jakiyarpur and found that
a tempo was coming, after seeing the police the Tempo driver
stopped the vehicle and fled away from there. After that police
searched the Tempo and found 142.50 liters of illegal foreign
liquor kept in four bags.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in F.I.R., his name came into light during investigation and he was not apprehended on spot. The incriminating foreign liquor has not been recovered from the possession of the petitioner. He has no concern with the alleged vehicle as well as the alleged recovered liquor. The petitioner has been remanded in the present case on 17.10.2022 and since then he is languishing in judicial custody.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ramkrishna Nagar P.S. Case No. 565 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna.

(Sunil Kumar Panwar, J)

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