

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77776 of 2023

Arising Out of PS. Case No.-192 Year-2023 Thana- JAMHOR District- Aurangabad

Manoj Kumar @ Manoj Singh Son of Mukhadev Saw Resident of Village-
Shankarpur, PS- Obra, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jamhor
P.S. Case No. 192 of 2023 (G.R. No. 1317 of 2023) instituted
for the offences under Sections 30(a) of the Bihar Prohibition
and Excise Act, (Amended) 2018.

3. As per prosecution case, the police, on receipt of
secret information, reached at the house of the accused persons.
On seeing the police party, one person got down from the
tempo bearing registration no. BR26PA-1047 and started to flee
away from there but, he was caught by the police. When search
was made, total 31 liter foreign made wine was recovered from
the Tempo. On query, he disclosed his name as Manoj Kumar



(the present petitioner) and on the disclosures made by him, the police reached at the house of the other accused persons and 306 liter foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is the driver of the Tempo but, he is not the owner of the same and, as such, he was only complying the order of his owner and the petitioner was unaware of the seized article. There is no compliance of Section 100 Cr.P.C. as all the seizure list witnesses are police witnesses. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application.

5. The petitioner is languishing in judicial custody since 22.09.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case as also taking into account the petitioner having no criminal antecedent and the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned
Court in connection with Jamhor P.S. case No. 192 of 2023
(G.R. No. 1317 of 2023.

(Rudra Prakash Mishra, J)

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