

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11877 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- BALIGAON District- Vaishali

MANISH KUMAR @ LALU S/O SURENDRA SINGH @ BHIKHARI
SINGH R/O VILLAGE- MAUDAH CHATUR, P.S- HARILOCHANPUR
(SUKKI), DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 and
273/34 of the India Penal Code as well as Sections 30(a), 32(ii)
and 41(i) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of nine cases.

4. Allegation is of recovery of 1102.68 litres of liquor
from a pick-up van.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is neither the



owner nor the driver of the seized vehicle. It is further submitted that petitioner came to be implicated based on confessional statement of Sanoj Kumar in police custody which does not have any evidentiary value in the eye of law. It is next submitted that it appears that the police through Sanoj Kumar got the petitioner implicated in order to save the real culprits taking advantage of his antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.45,000/- (Rupees Forty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baligaon P.S. Case No. 173 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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