

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16694 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- WAJIRGANJ District- Gaya

Manish Kumar S/o Naresh Yadav R/o Village - Kanaudi, Police Station -
Wazirganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a), 30(b) and 45 of the Excise Act, 2018.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 35 litres of liquor from a motorcycle,
750ml of liquor from the house of Chhotu Yadav and 15 litres of
liquor and 800 litres of mahua from wheat field of Chhotu
Yadav.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place, which does not belong to the petitioner



and petitioner has no connection or relation with Chhotu Yadav. It is also submitted that petitioner came to be implicated at the instance of local people, but then, the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-05, Gaya in connection with Wazirganj P. S. Case No.166 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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