

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31870 of 2024

Arising Out of PS. Case No.-22 Year-2023 Thana- KUTUMBA District- Aurangabad

Manoj Kumar Son of Dharmdev Ram, Resident of village - Satgawan, P.S. -
Hariharganj, District - Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kutumba P.S. Case No.22 of 2023 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 9.55 litres of illicit
liquor has been recovered from the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. Petitioner is the owner of
the motorcycle in question which was taken by the co-villager
and the petitioner had no knowledge or concern with the seized
liquor. There is no independent witness of the seizure list.
Petitioner has no criminal antecedent and he undertakes to



cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, Aurangabad (Bihar) in connection with Kutumba P.S. Case No.22 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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