

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34140 of 2024**

Arising Out of PS. Case No.-853 Year-2023 Thana- DARBHANGA SADAR District-  
Darbhanga

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Manish Kumar SON OF Vishnu Yadav Village- NEHAPUR, PS- SADAR  
(MABBI OP), DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

**ORAL ORDER**

2      23-05-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.            The    petitioner    apprehends    arrest    in  
connection with Sadar P.S. Case No.853 of 2023 registered for  
the offence under Section 30(a) of the Bihar Prohibition and  
Excise Act, 2022.

3.            As per FIR, there is recovery of total 135  
litres of illicit liquor from the possession of the petitioner.

4.            Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case. It is submitted that recovery of  
alleged illicit liquor was not made from physical possession of  
the petitioner and he has no concern with the alleged recovery



of illicit liquor as well as place of recovery.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. In view of the submissions, as made above, as the petitioner fled away from place of recovery at the time of raid by the police, where, the local Chaukidar identified the petitioner and disclosed the name of this petitioner along with other co-accused persons and as this petitioner is also involved in one other case, which is registered for the offence under Section 341, 342, 323, 363, 364 and 387/34, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

**(Ramesh Chand Malviya, J)**

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