

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35145 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Manish Kumar Son of Late Suresh Ram Resident of Village - Chehariya, P.S.
- Durgawati, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-05-2024 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 17.6 litres of liquor for the hut of Nand Lal Ram.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and petitioner does not have any relation or connection with Nand Lal Ram. It is next submitted that he came to be implicated at the



instance of Chowkidar with whom he is on an inimical term.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Durgawati P.S. Case No. 76 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than one case, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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