

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37668 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- BALIYA District- Begusarai

Manish Kumar @ Manish Singh Son Of Naveen Singh Village- Sadanandpur,
P.S.- Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Baliya P.S. Case No. 79 of 2024 instituted for the offences under Sections 30(a), 32, 41(I)(II) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, in short, is that, 1352.160 liters of liquor was recovered from three vehicles as detailed in FIR.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of confessional statement of apprehended co-



accused Ranjeet Prasad Singh, which has got no evidentiary value in the eyes of law. Petitioner is neither the owner nor the driver of the seized vehicle. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has got no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Baliya P.S. Case No. 79 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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