

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40458 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- MANIYARI District- Muzaffarpur

Bibhuti Kumar @ Bibhuti Kumar Ranjan @ Vibhuti Kumar Son Of Ravindra
Thakur Resident Of Village - Nawalpur Mishrauliya, P.S. - Sakra, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Maniyari P.S.
Case No. 70 of 2024, registered under Sections 420, 467, 468,
471, 120B of the Indian Penal Code and Sections 30(a), 32(1),
32(2), 36, 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 6549.83
liters of liquor was recovered from three vehicles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from
the conscious possession of the petitioner. The petitioner has no
concern with the alleged recovery of liquor. It is further
submitted that the petitioner is neither owner nor driver of any



of the vehicles in question. Name of the petitioner has transpired on the basis of confessional statement of co-accused Dashrath Kumar which has no evidentiary value. The petitioner has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 35518 of 2024.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maniyari P.S. Case No. 70 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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