

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43634 of 2024

Arising Out of PS. Case No.-599 Year-2024 Thana- AHYAPUR District- Muzaffarpur

MANISH KUMAR S/O- MOHAN PRASAD @ MOHAN SAH R/O OF
VILL.- PUNASH CHATURI, BHIKHANPURA, P.S.- AHYAPUR, DIST.-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Madhusudan Kumar, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 686.16 litres of foreign liquor has been recovered from different vehicles.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is neither owner nor driver of the vehicles in question. No incriminating article has been recovered from the conscious possession of this petitioner and he has been made an accused in this case merely on suspension. It is further submitted that petitioner has got one criminal antecedent of similar nature in which he is already on bail.



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

6. Considering the aforesaid facts and circumstances, nature of accusation and the fact that petitioner is neither owner nor driver of the vehicles in question, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Exclusive Special Judge Excise-1, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 599 of 2024 (G.R. No. 490 of 2024), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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