

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50697 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- KOTWA District- East Champaran

Manoranjan Singh Son of Pitamber Singh Resident of Village -Patti Jasauli,
Ps -Kotwa, Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kotwa P.S. Case No. 67 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act.

3. As per prosecution case, the police has recovered total 35 liters of illicit English liquor from the place of occurrence. It is alleged that three co-accused persons were arrested at the spot but, the petitioner managed to escape from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case due to dirty village politics. He further submits that the petitioner was not caught at the place of occurrence and, thus, nothing incriminating has been recovered from his conscious/physical possession. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement of the arrested co-accused persons. Save and except the confessional statement of the arrested co-accused, nothing has come against the petitioner. The petitioner has two criminal antecedents in which he is on bail as has been stated in paragraph no.3 of the present application. The petitioner has no concern with the alleged occurrence or the seized liquor. The petitioner has also no concern with the arrested accused persons. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the arrested co-accused namely Hemant Singh, Raushan Singh and Pradeep Kumar have already been granted regular bail by this Court vide order dated 07.05.2024 passed in Cr. Misc. No. 34456 of 2024.

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



7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or 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 the learned court below where the case is pending/successor court in connection with Kotwa P.S. Case No. 67 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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