

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59621 of 2024

Arising Out of PS. Case No.-251 Year-2024 Thana- AKBARPUR District- Nawada

Manish Kumar Son of Kuldeep Yadav R/V- Village- Kajikatar, P.S.-
Akbarpur, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-08-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Akbarpur P.S. Case No. 251 of 2024 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. The prosecution case, in short is that the informant
along with police personnel was engaged in vehicle checking
and in that course, seeing the police party, the petitioner tried to
flee away but he was apprehended. On search, 48 liters of illicit
liquor was recovered from a motorcycle.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that nothing was recovered



from possession of the petitioner. He has also submitted that the petitioner is a person of clean antecedent and is under custody since 17.07.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Nawada in connection with Akbarpur P.S. Case No. 251 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

7. It is relevant to mention here that in paragraph 3 of the main bail petition, it has been mentioned that the petitioner has got no criminal antecedent whereas perusal of the impugned order shows that the petitioner has one criminal antecedent except the present one.

8. In the said circumstances, before accepting the bail bond, the learned court below shall verify the criminal antecedent of the petitioner and if it is found that



he is involved in any other case, his bail bond shall not be
accepted.

(Nawneet Kumar Pandey, J)

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