

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61819 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- ROH District- Nawada

Manohar Kumar @ Manohar Yadav, Son of Kishori Yadav Resident of
Village- Morma, P.S.- Roh, Post- Samharigarh, Samhari, District- Nawada
(Bihar) Pin- 805104

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Kumar Sinha

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a)(d) of the Excise Act.

3. The learned counsel for the petitioner submits
that the petitioner has antecedent of three cases and the
allegation is of recovery of 05 litres of liquor from boring
campus of the petitioner.

4. The learned counsel for the petitioner submits
that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and



boring is done at a place which is outside the house, which is accessible to villagers at large, as such, someone inimical to the petitioner got meager amount of liquor planted near his boring with a view to implicate the petitioner and his family members. It is also submitted that he came to be implicated based on secret information, which is the easiest way to implicate someone.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court-2, Nawada in connection with Roh P. S. Case No.176 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than three cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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