

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66317 of 2024

Arising Out of PS. Case No.-429 Year-2024 Thana- Excise P.S. District- Gopalganj

Manjeet Kumar Yadav S/O Baburam Yadav R/O Village- Paithanpatti, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 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) and 32 of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two case and allegation is of
recovery of 128.52 liters of liquor from a Scorpio vehicle.

4. It is next submitted that petitioner was not arrested
from the spot and as such nothing was recovered from his
conscious possession and is not the owner of the driver of the
seized vehicle and he came to be implicated at the instance of
local people but then police in majority of the case implicates
either at the instance of Chowkidar, local people, confessional



statement and secret information in a mechanical manner without holding a proper investigation. It is also submitted that once an accused is implicated in a case relating to Excise, the police starts implicating mechanically.

5. The learned APP for the State 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court No. 2, Gopalganj in connection with Excise P.S. Case No. 429 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 two cases, in that event, the present anticipatory bail order shall not be given



effect.

8. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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