

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69826 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- Mathurapur District- Samastipur

Manoj Sah, Male, aged about 35 years, S/o- Late Nathuni Sah @ Nathuni Sah, R/O- Mirzapur, P.S- Kalyanpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Advocate

For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mathurapur P.S. Case No. 27 of 2024 dated 08.05.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 966.35 litres of illicit liquor was recovered from the Truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is neither the owner nor the driver of the said Truck. He has no concern with the alleged offence. No incriminating article has been recovered



from the possession of the petitioner. It is submitted that the other co-accused person, namely, Ram Bahadur Ray, has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 50798 of 2024 under order dated 26.07.2024. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-02, Samastipur in connection with Mathurapur P.S. Case No. 27 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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