

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70666 of 2024

Arising Out of PS. Case No.-79 Year-2022 Thana- AMAS District- Gaya

Manish Kumar @ Marandi Son of Anil Thakur @ Amit kumar Resident of
Village/Mohalla- Khemni Chak, Nandlal Chhapra, P.S.- Ramkrishna Nagar,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-10-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Amas P.S. Case No. 79 of 2022 registered for the
offence under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 30.08.2024.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 605.625 litres of
IMFL/country made liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected in any manner with alleged vehicle, from where illicit liquor was alleged to be recovered. It is further submitted that the name of petitioner transpired in present case on the basis of disclosure as made by co-accused Deepak Kumar @ Deepak Kumar Roy, which straightaway implies that recovery of illicit liquor was not made from the conscious physical possession of this petitioner. While concluding argument, it is submitted that petitioner found involved in three more criminal cases where he is on bail.

6. Learned APP, while opposing the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as the recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of the petitioner, accordingly, petitioner above named, is directed to be released on



bail in connection with Amas P.S. Case No. 79 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-2 Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C./ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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