

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79644 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- MANIYARI District- Muzaffarpur

Mannu Kumar @ Mannu Sahni @ Manu Sahni S/o Lakshandev Sahni R/o
Village-Sonbarsa Sah, P.S.- Maniyari, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioner and Mr.
Ashok Kumar Singh, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Maniyari P.S. Case No. 93 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a bike altogether 8.640 liters of foreign liquor was recovered. The man on bike managed to escape.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner has come on the disclosure of



local chowkidaar who identified him. He has not been apprehended on the spot and also nothing has been recovered from his possession. It is further submitted by learned counsel for the petitioner that the seized bike does not belong to him.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner has one criminal antecedent of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail **with a condition that he will not indulge in similar nature of cases in future.** The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Maniyari P.S. Case No. 93 of 2024 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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