

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74617 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- NEORA District- Patna

Manish Saw @ Manish Sah @ Manish Kumar S/O Devendra Saw @
Devendra Sao Resident of Village-Jagdishpur, Mohanpur, Ward No-13, P. S
-Raghopur, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-12-2024

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Neora P.S. Case No. 61 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 263.5 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that as the father of this petitioner was arrested on the basis of suspicion as he was following the



three wheeler from where the illicit liquor was recovered and was suspected as a liner, who disclosed during the course of investigation that this consignment was for this petitioner who is none but his son and for the said reason only this petitioner was implicated with present case. It is submitted that the aforesaid factual aspect suggests only that save and except suspicion nothing survive *prima-facie* against this petitioner who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid facts and circumstances as save and except suspicion nothing *prima-facie* appears incriminating against this petitioner who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Danapur/concerned Court, where the case is pending in connection with Neora P.S. Case No. 61 of 2024, subject to the conditions as laid down under



Section 438(2) of the Cr.P.C/Section 482(2) of BNSS,
subject to further conditions:-

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.”

(Chandra Shekhar Jha, J)

Sudha/-

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