

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75349 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- Excise P.S. District- Jehanabad

MANISH KUMAR @ NANDU KUMAR YADAV S/O VIJAY YADAV @
BIHARI SINGH RESIDENT OF VILLAGE- PYARECHAK, PO- SARWAN,
PS- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Excise P.S. Case no. 137 of 2024 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the vehicle in question being stopped, it is stated that one of the accused i.e. the petitioner herein managed to escape. Co-accused passenger was caught and 2 liters of country liquor was recovered. The co-accused passenger who was in an intoxicated state disclosed the name the petitioner as the person who was driving the vehicle and had managed to escape.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He was



neither driving the vehicle nor does he have any concern with the seized vehicle. No incriminating article has been recovered from his possession and he has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having any concern with the vehicle in question from which the alleged recovery is said to have taken place and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no. 137 of 2024 on 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-II, Jehanabad.

(Partha Sarthy, J)

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