

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77298 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- DUMRAO District- Buxar

Mantu Saw @ Mantu Kumar @ Mantu Sah Son of Nathuni Saw @ Nathuni
Sah Resident of Village - Rehiyan, P.S. - Krishnabrahm, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-11-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Dumraon (Naya Bhojpur O.P.) Police Station Case No. 192 of 2024, dated 27.05.2024, disclosing offences under Sections 30 (a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that the police intercepted two motorcycles, upon which, four persons were riding. Upon seeing the police party, two persons riding on one motorcycle succeeded in fleeing away, however, from another motorcycle one person was apprehended, along with illicit liquor having total quantity of 22.860 liters. The name of the petitioner, along with other co-accused persons, who succeeded in



fleeing away, were disclosed by the arrested co-accused person.

4. Learned counsel for the petitioner submits that the petitioner has been made accused on the basis of disclosure of his name by the arrested co-accused person. He next submits that the motorcycle, which was seized by the police, does not belong to the petitioner and no illicit liquor has been recovered from the vehicle belonging to the petitioner.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the name of the petitioner has transpired on the basis of disclosure made by the arrested accused person and he is not the owner of the seized motorcycle, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Court No. 1, Buxar, in connection with Dumraon (Naya Bhojpur



O.P.) Police Station Case No. 192 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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