

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79481 of 2024

Arising Out of PS. Case No.-829 Year-2024 Thana- ALAMGANJ District- Patna

Manish Kumar @ Manish Raj S/O Ramesh Sharma R/O Mohalla- Badhai
Tola, Bari Patandevi, P.S- Alamganj, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioner and Ms.

Shaheen Begum, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Alamganj P.S. Case no. 829 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The case of the prosecution is that altogether 25.92 liters of foreign liquor was recovered from Maruti 800. When one Mohan Lal was asked regarding the said liquor, he told that Manish Kumar who has fled away is the carrier of the said liquor.

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. From perusal of the FIR itself, it is clear that the petitioner



was not apprehended and nothing has been recovered from his possession rather his name has surfaced on the statement of one Mohan Lal. A statement has been made in para-3 of this petition that the petitioner has criminal antecedent of two cases of similar nature.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

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 condition that the petitioner shall not indulge in similar nature of offences 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 Alamganj P.S. Case No. 829 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, Patna City subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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