

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81403 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- Araria Sangram District- Madhubani

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Manoj Kumar Pandit S/o Arun Kumar Pandit R/o - Phulparas, Ward No.1, P.S
- Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 211-12-2024
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 Arariya Sangram Police Station Case No. 42 of 2024, disclosing offences under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR, on 31.07.2024, on secret information, the informant along with other police personnel reached near a cut at Chirkuta on NH-57 and started checking the vehicles, which were coming from Phulparas side. At about 1:15 am, informant indicated a swift car to stop but the driver of the car stopped the same at a distance and started fleeing away



and succeeded in the same. On search, 360 liters of Nepali country made liquor was recovered.

4. Learned Counsel for the petitioner submits that petitioner was not arrested from the spot and no incriminating substance has been recovered from the conscious possession of the petitioner. Petitioner is having no criminal antecedent. Petitioner has falsely been implicated merely because of his being the owner of the vehicle which he sold to Abhay Kumar by way of affidavit which is annexed at Annexure 2.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedents and prima facie he sold the seized vehicle to one Abhay Kumar, 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) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani, in connection with Arariya Sangram Police Station Case No. 42 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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