

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85159 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- RUPAULI District- Purnia

Manoj Kumar @ Manoj Uranw, aged about 40 years, gender-male, Son of Mangru Urnaw, Resident of Village-Chapahari, P.S.-Rupauli, Distt-Purnia,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rupauli P.S. Case No. 129 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 10 litres of liquor from an open Almirah of the petitioner. It is next submitted that the petitioner was not arrested from the spot and as such, nothing was recovered from his conscious possession and the house from which the liquor was recovered is a joint family property, as such, it cannot be alleged with certainty that it was the petitioner who had kept in

the alleged liquor in the house or the liquor kept in the house was within his knowledge. It is also submitted that it is absolutely does not stand to reason that on what basis the informant alleges that the liquor was recovered from Almirah of the petitioner

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on **Provisional Anticipatory Bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rupauli P.S. Case No. 129 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is further made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that the petitioner has antecedent of even one case in that event the Provisional Anticipatory Bail order shall not be confirmed, but if it is found that the petitioner

is a person with clean antecedent in that event the Provisional
Anticipatory Bail of the petitioner shall be confirmed forthwith.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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