

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87521 of 2024

Arising Out of PS. Case No.-30 Year-2021 Thana- KHUSRUPUR District- Patna

Manish Kumar S/O Vidyanand Singh Village- Thuthipur P.O.- Nasirpura,
P.S.- Parsa Bazar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2025

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 Khusrupur P.S. Case no. 30 of 2021 registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 27 litres of indian made foreign liquor was recovered from the bullet motorcycle. Two accused persons were taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the registered owner of the bullet motorcycle. From the contents of the F.I.R it would be evident that the petitioner was not present at the place of occurrence nor any incriminating article has been recovered from his possession. He has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

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



6. A report was called for with respect to antecedent of the petitioner from the Senior Superintendent of Police, Patna. As per the report received contained in letter dated 10.1.2025, the petitioner has no criminal antecedent.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner not having been arrested on the spot nor any incriminating article having been recovered from petitioner's possession and his not having any criminal 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 Khusrupur P.S. Case no. 30 of 2021 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 Exclusive Special Excise Court, Patna City, District- Patna.

(Partha Sarthy, J)

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