

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26547 of 2016

Arising Out of PS.Case No. -75 Year- 2016 Thana -BAHADURPUR District- PATNA

Manikant Kumar, son of Anand Kumar Rai, resident of village Raghapur,
Police Station Rampur, District Vaishali, at present Ram Krishna Colony,
P.S. Bahadurpur, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitione : M/s Arvind Kumar Mouar,
Harish Kumar and
Raj Krishna Jha, Advocates

For the State : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-07-2016 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in a case registered for
offences punishable under Sections 47 and 54 of Bihar Excise
(Amendment) Act, 2016.

It is contended that petitioner has been apprehended
only on suspicion as allegedly co-accused Aman Kumar
disclosed that the petitioner runs a tea shop and he sleeps in the
room. It is further contended that, from the room which is part
of the godown, 36 bottles of 750 Ml. each foreign liquor were



recovered. It is further urged that the petitioner has been only implicated on the statement made by the said Aman Kumar who happens to be the owner of the godown that petitioner sleeps in the room that does not necessarily indicates that the petitioner was involved in such type of illegal trade. The co - accused Aman Kumar, in whose godown all the recoveries were made and of which the concerned room is also a part, has already been granted bail by a coordinate Bench of this Court vide order dated 6.6.2016 passed in Cr.Misc. No. 21257 of 2016. It is also contended on behalf of the petitioner that there is no evidence on record that the premise was given to him on rent though the allegation is that he used to sleep there as he runs a tea shop outside such premise. Petitioner is stated to be in custody since 10.4.2016 and having clean antecedent.

Considering the facts and circumstances of the case, the petitioner, namely, Manikant Kumar is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sushant Rajan, Judicial Magistrate 1st Class, Patnacity in connection with Bahadurpur P.S. Case No. 75/2016.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned

court would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

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