

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1965 of 2017

Arising Out of PS.Case No. -441 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Manjit Kumar @ Mithu, s/o Late Shambhu Singh, resident of village-
Chandpura, P.S. Neemchandpura, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate

For the Opposite Party : Mr. Ram Naresh Ray (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Barauni
(Zeromile O.P.) P.S Case No. 441 of 2016 registered for the
offences punishable under Sections 414 and 188 of the Indian
Penal Code and Section 30(a) of the Bihar Excise (Amendment)
Act.

Allegedly, the petitioner was apprehended driving
Apache motorcycle and on the back seat two co-accused persons
were sitting and from possession of co-accused Gautam Kumar 48
bottles of foreign liquor each containing 180 ml. was recovered.

Submission is of false implication and that the
motorcycle is of the petitioner which is evident from Annexure-
2, the petitioner is suffering in custody since 06.12.2016, nothing



has been recovered from his conscious possession and, as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail

In the facts and circumstances stated above, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni (Zeromile O.P.) P.S. Case No. 441 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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