

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6538 of 2018

Arising Out of PS.Case No. -806 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Manish Kumar son of Chhote Prasad, Resident of Village-Bandukgali,
Motizhil P.S. Town, District-Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Jha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 02.11.2017 in connection with Muzaffarpur Town P.S. Case No. 806 of 2017 for the offences alleged under Sections 30(a), 38(2) of Excise Act and 25(1-b)a/26 and 35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged recovery of one country made pistol with one live cartridge along with about 9.7 litres of *English* wine. The two cases in which he has been made accused prior to the present case are of different nature and he is on bail in both the cases.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody already suffered since 02.11.2017, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise,



Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No. 806 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/-

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