

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68846 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- MANJHI District- Saran

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Sukhdeo Singh, Son of Late Ram Singh, Resident of Village- Chamba Khurd,
P.S.- Chola Saheb, District- Tarantar (Punjab).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nilam Devi, Wife of Vijay Mahto, Resident of Village- Bishnupur, P.S.- Bela,
Distt- Sitamarhi, at present residing daughter of Hulhai Mahto, Village-
Khairbani PS- Khairbani, Distt- Mohatari (Nepal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Manjhi P.S. Case No. 196 of 2018 registered
for the offences punishable under Sections 188, 420, 120(b) of
Indian Penal Code and Section 30 & 30(a), 38 of Bihar
Prohibition and Excise Act.

Allegation against petitioner is recovery of 5274
liters of foreign liquor from the vehicle which was driven by the
petitioner.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case.



Nothing was recovered from the possession of the petitioner or his vehicle and in the seizure list there is no signature of petitioner and allegation that petitioner and co-driver were arrested and others managed to escape is not correct. He has no criminal antecedent and he is in custody since 28.07.2018. Similarly placed co-accused has been granted bail by another co-ordinate bench of this court in Cr. Misc. No. 54990 of 2018 vide order dated 06.11.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI-cum-Special Judge, Excise Act, Saran at Chapra, in connection with Manjhi P.S. Case No. 196 of 2018 subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If petitioner is found involved in case of similar nature after released on bail, the concerned court shall take steps to cancel his bail.

(S. Kumar, J)

Rajiv/Manoj

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