

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6277 of 2018

Arising Out of PS.Case No. -676 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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Manoj Kumar, Son of Ravindra Kumar Sharma, Resident of Village-Surdaspur, P.S. Ghoshi, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Kumar, Advocate

For the Opposite Party: Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 23.12.2017 in connection with Excise Case No. 1116/2017 arising out of Jehanabad P.S. Case No. 676 of 2017 for the offences alleged under Section 120 (b) of the Indian Penal Code and Sections 30(a), 32(2), 41 and 56 of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated on the confessional statements of co-accused, namely, Pradeep Yadav and Rakesh Yadav and except such statements, there is no material to connect the petitioner with the alleged offence. No recovery of any incriminating materials has been made from the conscious possession of the petitioner. One of the accused Nand Paswan has been granted bail by this Court in Cr. Misc. No. 60862 of 2017.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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 Act, Jehanabad, in



connection with Excise Case No. 1116/2017 arising out of Jehanabad P.S. Case No. 676 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)

B.T/Chandran

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