

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3525 of 2019

Arising Out of P.S. Case No.-165 Year-2018 Thana- KARAKAT District- Rohtas

Manoj Singh aged about 35(M), son of Jagu Singh Resident of Village-
Tenua, P.S.- Karakat, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Advocate

For the Opposite Party/s : Mr.Ansar Ul Haque, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
04.11.2018 in connection with Karakat P.S.Case No.165 of 2018
for the offence alleged under Sections 30(a) and 36 of the Bihar
Excise and Prohibition Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information in the Community Hall,
Raghunathpur, one Ashok Yadav has concealed huge
consignment of illicit liquor and is intending to transfer it
somewhere. On search 1080 litres of Indian Made Foreign
liquor was recovered from the Community Hall and five to
seven persons were found fleeing amongst whom five were
recognized by the Chaukidar which included the petitioner.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. Nothing has been recovered from his conscious possession and it is only on suspicion that the petitioner has been made accused on the statement of the Chaukidar. Petitioner undertakes not to induce the witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case for similar offence is pending against him.

Considering the facts and circumstances and the nature of allegations, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Karakat P.S.Case No.165 of 2018 to the satisfaction learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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