

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13148 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- MAIRWAN District- Siwan

Manish Kumar Singh, Male, aged about 25 years, Son of Late Ganga Sagar Singh, Resident of Village - Pipra, P.S.- Mairwa, Distt - Siwan. At present address r/o village - Srinagar Mairwa, P.S.- Mairwa, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Mairwa P.S. Case No.261 of 2018 registered for the offence punishable under Sections 272, 273, 308 and 34 of the Indian Penal Code and Sections 30(i), 38(i) and 41(i) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 181.44 litres foreign liquor from the car of co-accused, Rahul Singh who was apprehended on the spot and petitioner managed to flee away.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that petitioner was not apprehended on the spot and nothing has been recovered from his conscious possession. Petitioner is in custody since



06.01.2019. Similarly placed co-accused has already been granted bail by this Court as contained in Annexure 2.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mairwa P.S. Case No.261 of 2018, with following 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 properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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