

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21839 of 2019

Arising Out of P.S. Case No.-59 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. MANISH KUMAR @ JHANDU, aged about 25 years, Male, Son of Shankar Singh, Resident of Village-Bhadwar @ Bhorwar, P.S.-Lakho, District-Begusarai.
2. Jitendra Kumar Singh @ Jitendra Kumar, aged about 24 years, Male, Son of Balmiki Singh, Resident of Village-Safapur P.S.-Nayagaon, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-04-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners seek bail in connection with Nath Nagar
P.S.Case No.59 of 2019 for the offence alleged under Section
120(B) of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on patrolling duty information was received
that a pick-up van is carrying illicit liquor, the police intercepted
the pick-up van and apprehended the driver Rajesh Yadav and
three others seated in the van including the petitioners. On
search from the pick-up van 414 liters of Indian Made Foreign



Liquor was recovered. The driver revealed the name of one Ankit Singh and Ranjeet Kumar Bharti for delivering the consignment. The petitioners were also alleged to be involved in the trade of illicit liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent, were just passengers in the said pick-up van and the illicit liquor did not belong to them. He submits that nothing has been recovered from their conscious possession and the petitioners are in custody since 26.01.2019, chargesheet having been submitted, there being no allegation of tampering with the prosecution evidence/witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioners do not bear a criminal antecedent as stated in para-3 of the present application, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Nath Nagar P.S.Case No.59 of 2019 to the satisfaction of learned Additional District & Sessions Judge-II-



cum-Special Judge, Excise, Bhagalpur subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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