

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33050 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- MANER District- Patna

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Bharosa Kumar, son of Rameshwar Rai, resident of village-Haldi Chhapra,
P.S.-Maner, District-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Aditya Narayan Singh I, Advocate
For the Opposite Party : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Maner
P.S. Case No.134 of 2019 registered under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

It is submitted by the learned counsel for the
petitioner that though it is alleged that 20 liters illicit liquor was
recovered while the petitioner was in market and the seizure list
was prepared at the place of occurrence itself, the same contains
P.S. case number. The presence of P.S. Case number on the
seizure list would indicate that no seizure was made at the place
of occurrence and the petitioner has falsely been framed in the
instant case. It is further contended that the petitioner is in
custody since the date of institution of the first information



report. He has got roots in the society and is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner.

Considering the submissions made above as also the statement made in paragraph no.3 of the petition that the petitioner has got no criminal antecedent, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Maner P.S. Case No.134 of 2019 arising out of Special Case No.2953 of 2019 subject to the following conditions:-

(a) that the petitioner shall attend court in accordance with the conditions of the bond executed;

(b) that the petitioner shall not commit an offence similar to the offence of the present case; and

(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts



of the case so as to dissuade him from disclosing
such facts to the Court or to any police officer or
tamper with the evidence.

(Ashwani Kumar Singh, J.)

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