

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36305 of 2019

Arising Out of PS. Case No.-760 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Manish Kumar @ Manish Kunwar @ Manish Singh (Male- 43 years) S/o
Mahendra Kunwar @ Mahendra Kumar R/o Village- Itwa, P.S.- Muffasil,
District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Shubhesh Pandey, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 24.04.2019 in connection with Muffasil P.S. Case No. 760 of 2018 for the offences alleged under Section 290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated merely on the extra-judicial confessional statement of co-accused Pramod Kunwar @ Pramod Kumar and except such statement, there is no other material to connect the petitioner with the alleged offence. The said co-accused Pramod Kunwar @ Pramod Kumar has been granted bail by a coordinate Bench of this Court vide order dated 13.02.2019 passed in Cr. Misc. No. 8113 of 2019. The petitioner is an accused in three prior cases of different nature in which he is on bail.

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 Additional Sessions Judge II-cum-Special Judge, Bihar Prohibition and Excise Act, Begusarai in connection with Muffasil P.S. Case No. 760 of 2018, 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)

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