

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79714 of 2018

Arising Out of PS. Case No.-206 Year-2017 Thana- TAJPUR District- Samastipur

Manish Ray @ Manish Rai @ Mintu @ Pintu, Son of Lal Bahadur Rai @ Lal Bahadur Ray, Resident of Village- Gangapur, Police Station- Tajpur (Waini O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Sri Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019

Heard learned counsel for the parties.

Petitioner seeks bail in Tajpur (Waini O.P.) P.S. Case No.206 of 2017 registered for the offence punishable under Section 47(A)/57 of the Bihar Excise Amendment Act, 2016 and under Section 30(a), 38(i) (ii), 47 of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of total 228 litres foreign liquor from the house of co-accused Vikky Kumar.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case as he was not arrested on the spot and nothing has been recovered from his conscious possession. Similarly placed co-accused persons have already been granted bail as contained in Annexure-3 and 4. Petitioner is in custody since 11.12.2018.



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 3rd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur, in connection with Tajpur (Waini O.P.) P.S. Case No.206 of 2017, 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)

Sanjay/-

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