

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.94 of 2020

Arising Out of PS. Case No.-319 Year-2019 Thana- BANIAPUR District- Saran

Nandlal Manjhi @ Nand Lal Manjhi Son of Dukhan Manjhi Resident of
Village- Dhobwal, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under section 414 of the I.P.C. and section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case, in brief, is that on 19.10.2019 during course of patrolling the informant got a confidential informant that one truck loaded with wine has been parked in an orchard besides Majhauri Bazar. It has further been alleged that the informant reached near the place of occurrence and found one truck and some persons were standing near the truck and they were fled away after seeing the police party. It has further been alleged that the local chowkidar claimed to identity of 5 accused persons including this petitioner, who were seen in the light of vehicle.



It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. It has further been submitted that due to previous enmity the local Chawkidar disclosed the name of the petitioner. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and he has no concerned with the alleged recovery. It has further been submitted that the petitioner is neither the owner of the truck nor the driver of the truck in question. The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge; Excise; Saran at Chapra in connection with Baniyapur P.S. Case No. 319 of 2019, on the following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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