

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1898 of 2020

Arising Out of PS. Case No.-54 Year-2018 Thana- BITHAN BAZAR District- Samastipur

MANNA SADA @ MUNNA SADA S/o - Late Nunulal Sada R/o Halna, P.S.-
Bithan, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Bithan Police Station (for brevity, *PS*) Case No 54 of 2018 instituted for the offence punishable under Section (s) 272, 273, 323, 341, 342, 504 of Indian Penal Code and Sections 30 (a), 30 (d) of Bihar Prohibition and Excise Act, 2016.

40 liters of liquor has been handed over to the police and upon such recovery, the petitioner has been implicated upon allegation by the informant (private individual) that he has abused and assaulted him when he crossed ways with the accused persons while they were in the process of manufacturing liquor. Submission is of false implication by the informant. Petitioner is having no criminal antecedent and there is no recovery from the petitioner's possession neither he has



been arrested from the place from where the liquor in question is alleged to have been brought by the informant. Petitioner is in custody, in such circumstances, since 27.11.2019.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise, Samastipur in connection with Bithan PS Case No 54 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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