

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1877 of 2020

Arising Out of PS. Case No.-799 Year-2019 Thana- MADHAURAH District- Saran

Manish Rai @ Manish Kumar Son of Late Kedar Rai Resident of Village -
Silhauri, P.S.- Madhaurah, Distt.- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rananjay Kumar, Advocate

For the Opposite Party/s : Mr.Amarendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Madhaurah**
P.S. Case No. 799 of 2019, registered for the offence punishable
under Sections 30, 30(a) of the Bihar Prohibition and Excise
Act.

10.62 litres of foreign liquor is recovered from the
conscious possession of co-accused Niraj Kumar and Ashok
Mahto.

It is submitted that petitioner has falsely been
implicated in this case. Name of this petitioner has come in this
case on the basis of confessional statement of co-accused who
were arrested by the police on the spot. Nothing has been
recovered from conscious possession of the petitioner. Similarly



situated co-accused Nabin Rai has been granted bail vide order dated 19.02.2020 passed in Cr. Misc. No. 750 of 2020. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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, Chapra** in connection with **Madhaurah P.S. Case No. 799 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

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