

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1972 of 2020

Arising Out of PS. Case No.-68 Year-2019 Thana- RATANPUR District- Supaul

Manish Kumar @ Manish Sharma Son of Shatrughan Shrama Resident of
Village - Sharma Tola Karjain, P.S.- Karjain, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, 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 **Ratanpura**
P.S. Case No. 68 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

44.7 litres of Nepali Saufi wine is said to have been
recovered from a Motorcycle.

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.
Nothing has been recovered from conscious possession of this
petitioner. The said Motorcycle does not belong to this
petitioner. The provision of section 100 Cr.P.C has not been
followed. 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 **Additional District and Sessions Judge II, Supaul** in connection with **Ratanpura P.S. Case No. 68 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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