

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4195 of 2020

Arising Out of PS. Case No.-266 Year-2019 Thana- MANIGACHI District- Darbhanga

Neeraj Kumar Son of Janardan Prasad Resident of Village / Mohalla -
Senduary, Gaj Singh, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Manigachhi P.S. Case No. 266 of 2019 (G.O. Case No. 1297/19)**, registered for the offence punishable under Sections Sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

459.75 litres of foreign liquor is alleged to have been recovered from a mini truck and petitioner was arrested on the spot.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner has no concern with the seized vehicle



or the liquor. The provision of section 100 Cr.P.C has not been followed. Petitioner claims no criminal antecedent and he is in custody since 18.12.2019.

Considering the facts aforesaid, the petitioner above-named, 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 Act, Darbhanga** in connection with **Manigachhi P.S. Case No. 266 of 2019 (G.O. Case No. 1297/19)**, subject to the 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)

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