

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34075 of 2020**

Arising Out of PS. Case No.-64 Year-2020 Thana- NASRIGANJ District- Rohtas

MANTU KUMAR Son of Shiv Govind Singh Resident of Village - Babuganj
(Bagen), P.S. - Akhodhi Gola, Dist. - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-12-2020 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Veena Kumari Jaiswal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Nasariganj P.S. Case No. 64/2020 registered for the offences punishable under Section 188, 269, 290 of the Indian Penal Code as well as Section 30(a) of Bihar Excise & Prohibition Amendment Act, 2018.

As per prosecution story, when the informant was on patrolling duty along with police force he tried to stop the vehicle then the driver and two persons tried to flee away, one person succeeded to flee away and two persons were



apprehended by the police force. On search of the vehicle different brands of Indian made foreign liquor about 293.760 liters were recovered from the vehicle and the apprehended accused disclosed their name as Sagar Kumar and Mantu Kumar.

Learned counsel for the petitioner submits that petitioner has neither concern with the alleged vehicle nor the recovered liquor, petitioner has remained in jail since 08.04.2020. Learned counsel submits that the trial of the case is not likely to be concluded in near future and petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner has remained in jail since 08.04.2020 in connection with the present case, investigation against him is complete and the trial is not likely to be concluded in near future, he has otherwise no criminal antecedent and there is no submission on behalf of the State that the release of the petitioner on bail is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on



furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge – cum – Special Judge, Excise, Rohtas, Sasaram, in connection with Nasariganj P.S. Case No. 64/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and



observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

