

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13694 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Mannu Kumar Patel @ Mannu Kumar, Son of Bidyanand Patel, Resident of
Village - Jamsar, P.S.- Uchkagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-08-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Excise
Case No.260 of 2020 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

720 litres illicit liquor has been recovered from the



vehicle where the petitioner was allegedly seated.

Counsel for the petitioner submits that the petitioner has no concern either with the vehicle or the recovered substance. Merely because the petitioner has taken a lift in the vehicle, he has become a victim of circumstances. The Driver who may have been knowing about the substance has fled away. Subsequently, he too was arrested and later allowed bail in Cr.Misc. No.9657 of 2020. Having no criminal antecedents, the petitioner is in custody since 01.10.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 court of learned Additional District & Sessions Judge-II-Cum-Special Judge, Excise, Gopalganj, in connection with Excise Case No.260 of 2020, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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