

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14817 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- NATIONAL HIGHWAY District-
Samastipur

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Manish Kumar, Son of Nathuni Mahto, Resident of Village- Kothiya, Ward
No.10, P.S.- N.H. Bangra, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Apurva Kumar, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-08-2021 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 N.H.
Bangra P.S. Case No.66 of 2020, Computer Registration
No.508/2020, registered for the offence punishable under
Sections 272 and 273 of the Indian Penal Code and Section
30(a), 41(i) of the Bihar Prohibition and Excise Act, 2016.



For the alleged recovery of 55 litres illicit liquor, the petitioner is stated to be in custody now since 09.12.2020.

It is submitted that the recovery is not from the petitioner's possession or property. He has no criminal antecedents. Similarly situated co-accused Nathuni Mahto has been allowed bail in Cr.Misc. No.25113 of 2020, vide order dated 22.09.2020.

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

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 learned Additional Sessions Judge-II-cum Special Judge (Excise), Samastipur, in connection with N.H. Bangra P.S. Case No.66 of 2020, Computer Registration No.508/2020, 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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