

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14910 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- MANJHI District-Saran

Birendra Singh, Son of Late Ramashray Singh, R/o Village-Jhakhra, P.S.-
Manjhi, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-09-2021 The matter has been taken up today for consideration
through video conferencing.

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

The petitioner seeks bail in connection with Manjhi
P.S. Case No.301 of 2020 registered for the offence punishable
under Section 30/30(a)/38(i)(ii) of the Bihar Prohibition and
Excise Act, 2016.

1391.040 litres illicit liquor has been recovered
from a truck. The Driver, co-accused Yogendra Kumar, who was
fleeing away, was apprehended and named the petitioner as
being one indulging in liquor trade. Based on the confessional
statement of co-accused, the petitioner, having no criminal
antecedents, as per the submission of the petitioner's counsel, is



in custody since 10.10.2020. There is no recovery of any incriminating material from his possession or property.

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 A.D.J. 2nd cum Special Judge, Excise, Saran at Chapra, in connection with Manjhi P.S. Case No.301 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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