

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21858 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- MANJHI District- Saran

Rajan Kumar Son Of Lakhan Prasad R/O Village- Rental Flat No. 438,  
Lohiya Nagar Kankarbag, P.S.- Kankarbag, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      14-07-2021                      This matter is taken up for consideration through  
Video Conferencing under the orders of Hon'ble the Chief  
Justice.

Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner seeks bail in Manjhi P.S. Case No. 12  
of 2021, registered for the offence punishable punishable under  
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

175.430 litres of foreign liquor has been recovered  
from Tata Indica and this petitioner being driver was  
apprehended on the spot.

It is submitted that no recovery has been made from  
conscious possession of this petitioner. Petitioner was simply  
driving the vehicle on the instruction of owner and was not  
aware about the nature of consignment. Petitioner has no



concern with the seized liquor. Petitioner is in custody since 10.01.2021 having no criminal antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of the petitioner and he claims clean antecedent, 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 Special Judge Excise, Saran in connection with Manjhi P.S. Case No. 12 of 2021, subject to following 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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