

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27482 of 2021

Arising Out of PS. Case No.-197 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Manish Singh Son Of Sri Sudama Singh Resident Of Village- Kala Domara,
P.S- G.B. Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-06-2021 Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 272, 273 and 308 of the Indian Penal Code and Section 30/38/41 of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 1505 litre of illicit liquor from a truck.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case on mere suspicion only. Petitioner was neither apprehended at the spot nor anything has been recovered from his possession or from his house, as such provisions of Excise Act will not be applicable.

Similarly situated co-accused persons have been granted bail by co-ordinate benches of this Court vide order dated 18.12.2017 passed in Criminal Miscellaneous No. 63299 of 2017, 19.12.2017 passed in Criminal Miscellaneous No. 2510 of 2018, 02.01.2018 passed in Criminal Miscellaneous No. 1674 of 2018, 30.01.2018 passed in Criminal Miscellaneous No. 8556 of 2018 and 23.07.2018 passed in Criminal Miscellaneous No. 46212 of 2018. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Raghunathpur PS Case No. 197 of 2017**, subject to the conditions laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the

court below.

(3) 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.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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