

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29536 of 2021**

Arising Out of PS. Case No.-17 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MANISH KUMAR Son of Manoj Kumar Verma @ Manoj Kumar Resident
of Village - Misroliya, Chandanpatti, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rohit Kumar, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-11-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ajay
Kumar Jha, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Samastipur (M) P.S. Case No. 17 of 2021
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016. He is in custody since
08.01.2021 having one criminal antecedent as stated in
paragraph '3' of the application in which he is said to be on bail.

As per the prosecution story, while the informant was
on patrolling duty along with other police officials, he saw a
Scorpio was coming from opposite direction, he given a signal



to stop but on seeing the police three persons, who were in the Scorpio, were tried to flee away, one of them was arrested and on search of the vehicle 20 liters of English foreign liquor were recovered. The informant further alleged that on asking about the other accused persons, the apprehended person disclosed that they are the his companion and living in the rented house in the district of Samstipur and when the house was searched total 200 liters of English wine were recovered and other co-accused were arrested.

Learned counsel for the petitioner submits that petitioner has been falsely implicated, the petitioner has no concern with the alleged illegal liquor and was not present in the vehicle, however he is in custody since 08.01.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner has remained in custody since 08.01.2021, investigation against him is complete, he has got one criminal antecedent in which he is said to be on bail, at this stage, the trial is not likely to commence in near future, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – II – cum – Special Judge, Excise Act, Samastipur, in connection with Samastipur (M) P.S. Case No. 17 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

