

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37874 of 2021

Arising Out of PS. Case No.-314 Year-2020 Thana- PHULWARIYA District- Gopalganj

SUSHIL KUMAR MANJHI @ SUSHIL KUMAR S/O ASHOK MANJHI
R/o village- Rauja Pokhra, Nai Basti, Chapra, P.S.- Chapra, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Phulwariya P.S. Case No. 314 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Act Amendment, 2018.

776.76 litres illicit liquor has been allegedly recovered from the pickup van, which the petitioner was driving.

Learned petitioner's counsel submits that it is a case of false implication. Petitioner, having no criminal antecedents, is in custody since 19.12.2020. Petitioner was discharging his professional duty as a driver and has no connection, whatsoever,



with the alleged recovery.

Learned APP 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 bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II, Gopalganj in Phulwariya P.S. Case No. 314 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.

(Madhuresh Prasad, J)

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