

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38578 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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MANISH KUMAR @ MANISH SAH S/O ASHOK SAH R/O WARD NO. 8,
RAMPUR ANCHAL, TEGHRA, POST-AMBA, RAMPUR KHAJE,
JAHANPUR, P.S.-TEGHRA, DISTRICT-BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2021 Heard Mr. Pritish Kumar Lal, learned counsel for the

petitioner and Mr. Mushtaque Alam, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Muffasil P.S. Case No. 116 of 2020 registered for the offence

punishable under Section 120(B) of the Indian Penal Code,

Sections 30(a), 32 and 41 of the Bihar Excise Prohibition

(Amendment) Act, 2018.

This is second attempt for grant of regular bail on

behalf of the petitioner inasmuch as earlier the bail application

of the petitioner was rejected by this Court vide order dated

9.4.2021 passed in Cr. Misc. 6238 of 2021 with liberty to renew

his prayer for grant of regular bail after three months.



The allegation against the petitioner is that when the Police Party reached near Swami Ware House at Hardia Chilmil Road, the informant saw one truck, one pick up van and white colour Alto Car in which 5-6 persons were found sitting and after seeing the Police party they tried to flee way. However, one person was caught who disclosed his name as Vinod Kumar Singh @ Babloo Singh. On search of the vehicles, a total quantity of 2654.385 litres of illicit foreign liquor from the truck, 95.040 from pick-up van and 201 litres from Alto Car were recovered.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by co-accused Vinod Kumar Singh @ Babloo Singh who was arrested on spot. Learned counsel further submits that the said Vinod Kumar Singh @ Babloo Singh has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 21937 of 2020. Learned counsel next submits that other co-accused persons have also been granted bail by co-ordinate Benches of this Court in Cr. Misc. 21164 of 2020 and 25781 of 2020 respectively. The petitioner is in custody since 14.9.2020.

Having regard to submission made by the parties and taking into consideration the materials on record, the fact that



similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court, the petitioner is in custody since 14.9.2020 and the charge sheet has already been submitted in the matter as well as this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Begusarai, in connection with Muffasil P.S. Case No. 116 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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