

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41217 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- PAKARIBARAW District- Nawada

Manoj Kumar Singh @ Manoj Kumar Son Of Late Birendra Singh Resident
Of Village - Dola, P.S. - Pakri Barawan, District - Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-10-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Pakri Barawan P.S. Case No. 31 of 2021 registered for the offence punishable under Sections 37 (C), 45 of the Bihar Prohibition and Excise Act.

Allegation, as per the written report of Vinod Kumar Prasad, Sub-Inspector, Pakri Barawan Police Station, against the petitioner is that petitioner in an inebriated stage abused police



personnel. He also threatened all police officers

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather on inspection petitioner was found in consumption of 100.1Mg/100ml of alcohol. He submits that petitioner is nothing but scape-goat who has been implicated into the present matter due to high handiness of police. He has been falsely implicated in this case by the police as there are two cases pending against him. Petitioner has two criminal antecedents as has been mentioned in para-3 of this bail application and he is languishing in custody since 04.02.2021.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar bearing Account No.2065104000002257, IFSC Code: IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending/successor Court in connection with Pakri Barawan P.S. Case No. 31 of 2021



subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

GAURAV S./-

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