

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39333 of 2020

Arising Out of PS. Case No.-260 Year-2019 Thana- TEGHRHA District- Begusarai

Manish Kumar @ Manish Sah, son of Ashok Sah, Resident of Village-
Chilhay Rampur, P.S.- Teghra, District-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Smt.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Teghra
P.S. Case No.260 of 2019 for the offence punishable under
Sections 414/120B of the Indian Penal Code and Section 30(a)
of the Bihar Excise Act, 2016.

The petitioner is alleged to be one amongst seven
miscreants who have fled away from the truck, from which
there is alleged recovery of 141 litres of Indian Made Foreign
Liquor.

It is submitted by the petitioner's counsel that on
account of his past antecedents, the petitioner has been framed
in this case. It is a case of false implication and the petitioner
has no concern with the recovered liquor. Recovery is also not



in accordance with law nor there is any forensic basis to support that the recovered substance was intoxicant. The petitioner is in custody since 31.08.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in connection with Teghra P.S. Case No.260 of 2019, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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