

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3019 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- TARAIYA District- Saran

MITHILESH KUMAR MANJHI Son of Tilak Manjhi Resident of Village -
Rashuli, P.S.- Panapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Taraiya P.S. Case No. 301
of 2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

During course of patrolling one pick-up van was
intercepted and on search, 1000 litres of country made liquor
was recovered and petitioner being driver was apprehended on
the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner is simply
driver of the vehicle in question who was not aware about the
nature of consignment. Petitioner is in custody since 26.08.2020
and bears clean antecedent. Chargesheet has already been



submitted.

Considering the fact that no recovery has been made from conscious possession and petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 2nd Additional Sessions Judge-cum-Special Judge Excise, Saran, Chapra in connection with Taraiya P.S. Case No. 301 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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