

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2711 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- CHANAN District- Lakhisarai

MANISH KUMAR, S/o Jawahar Mistri R/o Village- Barare, P.S.- Kiul,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 18-03-2021 Heard Mr. Manoj Kumar, learned Counsel for the
petitioner and Ms. Rina Sinha, learned Additional Public Prosecutor
for the State, through Video Conferencing.

This application, for grant of regular bail, arises out of
Chanan Police Station Case No. 105 of 2020, disclosing offences
under Sections 272, 273, 414 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation, as per the First Information Report is
that police intercepted two motorcycle and recovered a total
quantity of 25 litres of illicit liquor from the possession of the
petitioner and 15 litres from the possession of the co-accused,
Prabhu Kumar.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged and
he has falsely been implicated in this case. Learned counsel next



submits that police has not followed the procedure prescribed under Section 100 Cr.P.C. at the time of search and seizure. Learned counsel further submits that the petitioner is in custody since 12.09.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 12.09.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Manish Kumar, 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 learned Additional District & Sessions Judge-IIInd-cum-Special Judge (Excise), Lakhisarai, in connection with Chanan Police Station Case No. 105 of 2020.

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

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(Anil Kumar Sinha, J)

