

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3891 of 2022

Arising Out of PS. Case No.-817 Year-2021 Thana- MANER District- Patna

1. Manoj Ray S/o Vijay Rai Resident of Tata Colony, Maner Block, P.S.- Maner, District- Patna
2. Rohit Kumar @ Arjun Rai S/o Late Ram Nath Rai R/o village- Mainpura, Tara Chak, P.S.- Danapur, District- Patna

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

In this case, the petitioners are seeking regular bail in connection with Special Case No. 6640 of 2021 arising out of Maner P.S. Case No. 817 of 2021, registered for the offences punishable under Sections 30(A) of Bihar Prohibition and Excise Act, 2018.

As per allegation, 95 litres of mahua liquor was recovered from the bike of petitioner Manoj Rai and 140 litres of mahua liquor was recovered from the bike of petitioner No. 2. They were arrested while fleeing away from the scene of occurrence.

Learned counsel for the petitioners has submitted that



the petitioners are the persons of clean antecedent and they are in custody since 13.10.2021.

Considering the nature of allegation as well as period of incarceration, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge-Excise, Patna in connection with Special Case No. 6640 of 2021 arising out of Maner P.S. Case No. 817 of 2021, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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