

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8978 of 2022

Arising Out of PS. Case No.-660 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Aman Kumar,, aged about 20 years, male Son of Viru Manjhi, Resident of
village- Mirjapur, P.S.- Town, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with G.O. No.
660 of 2021 registered for the offence punishable under Sections
30 (a) 30 (c) of the Bihar Prohibition and Excise Act, 2016.

The accusation against accused petitioner is that 40
liters of illicit Mahua was recovered from his possession.

Learned counsel appearing on behalf of the
accused/petitioner submitted that the petitioner was arrested
with the seized illicit Mahua but the petitioner was not the
owner of the alleged house. It has further been submitted that
recovery has not made from the physical conscious possession.
Petitioner is the man of clean antecedent and is in custody since
16.11.2021.

Considering the facts and submissions as made above



as petitioner was not involved in manufacturing of illicit Mahua, coupled with the fact that he is the man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with G.O. No. 660 of 2021 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada subject to the following condition:-

(i) The petitioner shall cooperate in the trial and make himself available on every date of hearing. Exemption from physical appearance be allowed on medical health ground only.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Chandra Shekhar Jha, J)

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