

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9162 of 2022

Arising Out of PS. Case No.-67 Year-2019 Thana- NADI P.S. District- Patna

MANOJ KUMAR SON OF RAJENDRA RAY @ BHATTU RAY
RESIDENT OF VILLAGE- JETHULI, P.S.- NADI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 580.32 liters of foreign liquor and punching machine is said to have been recovered from the house of the petitioner. He has no



concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Special Excise Case No.2856/19, arising out



of Nadi P.S. Case No. 67 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.30,000.00 (Rupees Thirty Thousand) in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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