

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10265 of 2022**

Arising Out of PS. Case No.-165 Year-2021 Thana- KHAJAULI District- Madhubani

MANIS KUMAR DAS @ MANIS KUMAR Son of Brahamdev Das Resident
of Village- Sukkhi, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha,Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272,273 of IPC and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

Recovery is of 132 liters of Napali liquor.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of confessional statement of co-accused, namely, Mukesh Kumar Singh. He further submits that the alleged recovery has been made from the place of occurrence



and the petitioner was not arrested on the spot and nothing has been recovered from conscious possession of the petitioner and the petitioner is in custody since 23.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, let the petitioner, above named, 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 Court below where the case is pending in connection with Khajauli P.S. Case No. 165 of 2021 corresponding to G.R.Case No.1828 of 2021, with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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