

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14074 of 2022

Arising Out of PS. Case No.-528 Year-2020 Thana- SAKRA District- Muzaffarpur

Manohar Rai son of Asharfi Rai Resident of Village-Chakdah Panchdahi, P. S.
Sakra District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma, Advocate.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 08-07-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Uday Prakash Shrarma, learned counsel for the petitioner and Mr. Choubey Jawahar, learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Sakra P. S. Case No. 528 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner submitted that earlier the prayer for bail of the petitioner was rejected by the learned co-ordinate Bench of this



Hon'ble Court in Cr. Misc. No. 6895 of 2021 vide order dated 28.04.2021, the order is annexed as annexure 1 to this application. While rejecting the prayer of the petitioner, it was observed that he may renew his prayer for bail after completion of six months of custody from the date of the order or after framing of the charges whichever is earlier. It is further submitted that now the charge has already been framed on 28.08.2021 and moreover, he is also making his prayer after six months, as per the direction of this Hon'ble Court.

On the other hand, learned APP for the State fairly submits that from the averments, it appear that the charge has been framed.

Having considered the submissions made on behalf of the parties and taking into account the fact that the prayer for bail was rejected with an observation and now the charge has already been framed and this petitioner is in custody since 10.10.2020, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Sakra P. S. Case No. 528 of 2020, subject to the condition that one of the bailors will be the close relative of the



petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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