

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14623 of 2022

Arising Out of PS. Case No.-411 Year-2020 Thana- KISHANGANJ District- Kishanganj

MANJEET YADAV @ MANJEET KUMAR S/o Chandeshwar Singh R/o
Khilwat, P.S.- Bidupur, District- Vaishali, Bihar- 844503.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Sinha,Adv.
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 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.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 272,273,420 and 120(B) of IPC and Sections 30(a),41(1) of Bihar Prohibition and Excise Act, 2016.

Recovery is of 3584.640 liters of foreign liquor.



Learned counsel appearing for the petitioner submits that vide order dated 28.03.2022 the petitioner was granted provisional bail in the present matter. Learned counsel for the petitioner submits that due to some technical reason, he could not release on provisional bail.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioner is owner of the Truck in question and nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the Truck in question. He further submits that the similarly situated co-accused, namely, Mulendra Kumar Singh @ Munindra Kumar Singh @Milindra Kumar Singh has been granted bail vide order dated 08.07.2021 in Cr. Misc. No.14362 of 2021 and another co-accused, namely, Md Sahid @ Sahid Pradhan has been granted privilege of anticipatory bail vide order dated 14.06.2021 in Cr. Misc. No.17312 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 16.02.2022.

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 facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousands) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kishanganj Police Station Case No.411 of 2020, 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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