

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15529 of 2022

Arising Out of PS. Case No.-289 Year-2020 Thana- MANSI District- Khagaria

Manoj Yadav @ Manoj Yugal S/o Late Nago Yadav Resident of Village-
Khutiya, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate.

For the Opposite Party/s: Mr.Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-08-2022 Heard Mr. Viveka Nand Singh, learned counsel
appearing on behalf of the petitioner and Mr. Sanjay Kumar
Pandey, learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Mansi P.S. Case No. 289 of 2020 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 30 litres of country made
liquor from an abandoned place and the petitioner was
apprehended while he was trying to flee away from the place of
occurrence.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in the present case. Recovery has been made from an abandoned place. Nothing has been recovered from conscious possession of the petitioner. Petitioner is in custody since 03.01.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that the trade of illicit liquor is rampant in the State of Bihar. In spite of complete prohibition in the State, due to consumption of illicit liquor, people at large are dying everyday and they are suffering from various physical disorder, as such it would not be in public interest to release the petitioner on bail.

Considering the fact that nothing has been recovered from conscious possession of the petitioner and the recovery has been made from an abandoned place, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of **Rs.25,000/- (Rupees twenty five thousand)** with two sureties of the like amount each to the satisfaction of the learned Special Judge-I, Excise, Khagaria in connection with Mansi P.S. Case No. 289 of 2020, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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