

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19333 of 2022

Arising Out of PS. Case No.-879 Year-2021 Thana- BIHTA District- Patna

Manoj Kumar Son Of Shyamdev Yadav R/O Village- Jamunapur, Amhara At
Present Khedalpura, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar

For the Opposite Party/s : Mr. Chandra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

99.72 liters of foreign liquor has been recovered from
the house of co-accused, Chandra Dev Das. Allegation against
the petitioner is that he is the tenant in the house of Chandra
Devi Das and had kept the liquor in the house of co-accused,
Chandra Dev Das.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner is not the
tenant in the house of co-accused, Chandra Dev Das as stated in



paragraph-8 of the bail application. It is submitted that there is no recovery from the conscious possession of the petitioner and he has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.10,000/- (rupees ten thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 learned Special Excise Judge, Patna in connection with Bihta P.S. Case No.879 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:



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

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

(Anjani Kumar Sharan, J.)

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