

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21522 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- JADOPUR District- Gopalganj

MANJIT KUMAR Son of Gajendra Yadav Resident of Village-
Mahmmadpur, P.S.- Panapur, District- Saran (Chapra)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State in virtual court proceeding.

The petitioner seeks bail in connection with
arising out of Jadopur P.S. Case No. 16 of 2022 registered for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery
of 86.4 litres foreign liquor from the car in question and
petitioner is the driver of the car and he was apprehended on the
spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 05.02.2022 and bears no criminal



antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further nothing incriminating has been recovered from the possession of the petitioner. Section 100 of Cr.P.C. has not been complied in the present case.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge II cum Special Judge Excise, Gopalganj in connection with Jadopur P.S. Case No. 16 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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