

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30069 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Rakesh Kumar Manjhi @ Rakesh Kumar Son of Kishor Manjhi Resident of Village - Bindusar Bujurg, P.O.- Bindusar, P.S.- Siwan Muffasil (Mahdeva O.P.), District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Jha, Petitioner

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-08-2022 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.

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 30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 198 litres of country made liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that nothing has been recovered from the conscious possession



of the petitioner rather the alleged recovery has been made from Bolero vehicle and in fact the petitioner is neither the owner nor the driver of the vehicle in question and the petitioner has no concern at all with the alleged recovery and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 23.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 151 of 2022, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

