

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29698 of 2022**

Arising Out of PS. Case No.-101 Year-2021 Thana- KASHICHAK District- Nawada

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Manish Singh @ Lokesh Kumar Son of Mukateshwar Prasad Singh R/O
Village- Khakhari, P.S.- Kashichak, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 01-07-2022 Heard learned counsel for the petitioner and learned
for the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Kashichak P.S. Case No. 101 of 2021 registered for the offence
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.11.2021.



The allegation against the petitioner is to have involve in the illegal business of illicit liquor, where there was recovery of 1574.25 liters of illicit liquor from a truck bearing Registration no. UP 80 T 9953.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of disclosure made by driver and khalasi of the alleged truck, from where the alleged recovery has been made and nothing surfaced during the course of investigation, which may connect the petitioner with the present set of occurrence. It has further been submitted that similarly situated co-accused persons have already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 48368 of 2021 dated 16.02.2022. While concluding the argument, it has been submitted that investigation in this case is complete and chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances as mentioned above, as the name petitioner surfaced on the basis of disclosure made by driver and khalasi of the alleged truck coupled with the



fact that the recovery has not been made from the conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Kashichak P.S. Case No. 101 of 2021 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 and Sessions Judge-II-cum-Special Judge, Nawada, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.



(iii) That one of the bailors shall be Mukateshwar Prasad Singh, who is the cousin father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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