

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52145 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- KOCHAS District- Rohtas

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MANMEET SINGH @ SUNNY Son of Late Daljit Singh Resident of Village
- Kalisthan Ganga Babu ki Theki, P.S. - Chauk Thana, District - Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Ms. Vaishnavi Singh, Advocate.
For the State : Mr. Ajay Kumar No.2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 15-02-2022 The applicant is given out of turn hearing for the reason that his mother is diagnosed with an ovarian cancer and the applicant has to look after her medical treatment.

Sufficient time was granted to the State to verify this fact as well as to be ready with the instructions in the matter.

The applicant is an accused in Crime No.79 of 2021 registered with Police Station-Kochas for the offences punishable under Sections 420, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The learned counsel for the applicant submitted that the applicant is not having any criminal antecedents and he was not even found possessing any illicit liquor.

The learned A.P.P. opposed the application by contending that illicit liquor in huge quantity of about 7983.00 liters came



to be seized and the applicant is one of the members of the gang indulged in the criminal conspiracy to import illicit liquor in the prohibited State.

I have considered the submissions so advanced and also perused the materials placed before me.

It is not in dispute that the applicant is not having any criminal antecedents.

According to the prosecution case, on the basis of secret information regarding illicit liquor, police party conducted raid and found a truck and a car of Honda in make parked on the road on 10.06.2021. Some persons standing nearby ran away. However, police apprehended driver of the truck Mukesh Kumar. The said driver informed that the applicant is talking to him on the cell phone regarding delivery of the illicit liquor and the applicant is staying at Natraj Hotel along with one Raj Kumar. That is how the applicant came to be arrested. The F.I.R. itself reveals that the liquor was being brought at the instance of co-accused Chandan Ram, Munna Kahar, Awadhesh Yadav etc.

The investigation of the subject crime is over. The applicant is already undergoing pretrial detention since the registration of the subject crime. He is with clean antecedents.



Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.79 of 2021 registered with Police Station-Kochas for the offences punishable under Sections 420, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, be released on bail on executing P.R. bond of Rs.15000/- (Rupees Fifteen Thousand) and on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

- (I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (II). The applicant should cooperate the trial in expeditious disposal of the trial against him.
- (III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.
- (IV). The applicant should not repeat commission of similar offence in future and if he is found to be



involved in commission of similar offence, the
State is at liberty to apply for cancellation of bail
granted to the applicant in the instant case.

The applicant to remove all office objections forthwith
and the Registry to issue the certified copy of this order only
after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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