

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43478 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- KHODAWANDPUR District- Begusarai

MANISH KUMAR @ SINTU SINGH @ SINTU KUMAR Son of Ajay
Kumar Singh @ Ajay Singh Resident of Village - Maheshwara, Ward no.6,
P.s.- Nawkothi, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-08-2022 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.

The petitioner seeks bail in connection with
Khodawandpur P.S. Case No. 184 of 2022 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 135 litres foreign liquor from Alto car in question and the
petitioner was apprehended on spot being the driver of the said
Alto car. It is further alleged that 1170 litres foreign liquor was
also recovered from pickup van in question.



Learned counsel for the petitioner submits that petitioner is in custody since 25.06.2022 and bears criminal antecedent of three cases in which two is of similar nature. Learned counsel further submits that petitioner is not the owner of the said car and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that seizure list has not been made as per law.

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, also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-I, Begusarai in connection with Khodawandpur P.S. Case No. 184 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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