

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46878 of 2022**

Arising Out of PS. Case No.-453 Year-2021 Thana- MANIYARI District- Muzaffarpur

Nagmani Kumar Son Of Maheshwar Prasad Yadav @ Maheshwar Prasad Ray  
R/O Village- Kulesra Dih, P.S.- Sakra, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      04-11-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with  
Maniyari P.S. Case No. 453 of 2021 lodged under Section 30(a)  
of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of 156  
litres English Wine is there.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He submits  
that nothing has been recovered from his possession and  
submits that the alleged recovery has been made near Shiv  
Mandir and one person has been apprehended also. Learned

counsel for the petitioner also submits that his name was not figured in this case even but apprehended person has disclosed the name of the petitioner. He is arrested and in custody since 21.05.2022. There is one criminal antecedent of the petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No.-II, Muzaffarpur in connection with Maniyari P.S. Case No. 453 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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