

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46723 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- GANGABRIDGE District- Vaishali

Manjit Kumar, S/o Late Shambhu Rai, Resident of Village- Diwan Tok, P.S.-
Gangabridge, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Ganga Bridge P.S. Case No. 26 of 2021
registered for the alleged offences under Sections 414, 467, 468,
471 of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act.

Allegedly, 264 litres of country made liquor was
recovered from three vehicles. The petitioner is said to have fled
away from the spot.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner has not been arrested from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has nothing to do with the seized vehicles or the recovered liquor. The co-accused persons have been granted bail in Cr. Misc. Nos.3814 of 2021 and 51151 of 2021. The charge sheet has been submitted in this case. The petitioner is in custody since 30.06.2022. The learned counsel further submits that the father of the petitioner has expired on 13.10.2022.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner submitting that the petitioner is a habitual offender.

Having regard to the submissions made on behalf of the petitioner and considering the fact that the petitioner has not been arrested from the spot and no recovery has been shown from his possession and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur, in connection with Gangabridge P.S. Case No. 26 of



2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

However, at the time of furnishing bail bond, the death certificate of the father of the petitioner will be produced before the learned court below.

(Arun Kumar Jha, J)

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