

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58485 of 2021

Arising Out of PS. Case No.-203 Year-2021 Thana- KUDHNI District- Muzaffarpur

Manjesh Kumar S/O Late Niranjan Chaudhary R/o village- Kharuna Jairam,
Kharana, P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-04-
2022

Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Kudhni (Turki O.P)P.S.Case No. 203 of 2021 for the
offences punishable under Sections 30(a) of Bihar Prohibition
and Excise Act 2016.

As per the prosecution case, it is alleged that on secret
information police raided the house of the co-accused persons
and from a hut altogether 98.65 liters foreign made liquor has
been recovered.

Learned counsel for the petitioner submits that
petitioner was not arrested on the spot and nothing has been



recovered from conscious possession of this petitioner. It is further submitted that petitioner has been made accused in two similar nature of cases and on that basis he has been remanded in the present case and further on the basis of statement of co-accused, who disclosed his name, the petitioner has been implicated in this case. Further from the F.I.R, it is evident that recovery has been made either from bush or hut near the house of Navneet Kumar. Petitioner is in custody since 23.08.2021.

The learned A.P.P opposed the prayer for bail of the petitioner, however, he submits there is no recovery from the conscious possession of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from the hut situated near the house of Navneet Kuamr, and he has been remanded in the present case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Kudhni (Turki O.P) P.S.Case No. 203 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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