

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51054 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- DINARA District- Rohtas

Manoj Kumar Maurya, Son of Late Jang Bahadur Maurya, Resident of
Village - Siddikpur, P.S.- Sarai Khaje, District - Jaunpur (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Dinara (Bhanas) P.S. Case No. 92 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per prosecution case, recovery of 360 litres of India made foreign liquor was made from a pick-up van being driven by this petitioner who was apprehended from the spot.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession and he has no concern with the seized liquor. The petitioner is the driver of the seized vehicle and he



has no knowledge about the nature of consignment. The petitioner used to transport the goods from Banaras to other places and he was hired by the owner of the seized consignment and his mobile number was mentioned in the FIR. The petitioner is in custody since 03.04.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having one antecedent of similar nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named 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 Additional District Judge-II-cum-Special Judge, Excise-1st, Sasaram in connection with Dinara (Bhanas) P.S. Case No. 92 of 2022, 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.

(Arun Kumar Jha, J)

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