

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50578 of 2022

Arising Out of PS. Case No.-169 Year-2022 Thana- RAJAPAKAR District- Vaishali

Manjit Kumar @ Manjit Kumar Singh Son of Sitaram Singh @ Sitaram Ray
@ Sitaram Rai R/o- village - Near Rajapakar Pokhar, P.S.- Rajapakar, District
- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 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
Rajapakar P.S. Case No. 169 of 2022 lodged under Section 30(a)
of the Bihar Prohibition and Excise Act.

As per the prosecution case, total recovery of 100 liter
wine, which has been made from a tempo vehicle, of which the
petitioner is alleged to be a driver, is subject matter of the
present case.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further

submits that petitioner is in custody since 28.05.2022 having one criminal case pending against him, in which he is on bail. Learned counsel submits that charge sheet has already been filed in this case. He also submits that petitioner is a tempo vehicle driver and some passengers may have kept the said material in petitioner's tempo vehicle, of which petitioner was completely unaware of.

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 Exclusive Special Excise Court IInd – Cum – A.D.J., Vaishali, Hajipur in connection with Rajapakar P.S. Case No. 169 of 2022, 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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