

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51886 of 2022

Arising Out of PS. Case No.-333 Year-2022 Thana- SHASTRINAGAR District- Patna

Kameshwar Manjhi S/O Dhrublal Manjhi Resident of Ashiyana Digh Mor
Musahari P.S.- Shastrinagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Ram Jiban Pd. Singh, learned counsel appearing on behalf of the petitioner and learned APP for the State through video conferencing.

The petitioner seeks regular bail, who is in custody in connection with Spl Case No. 3195 of 2022 arising out of Shastrinagar P.S. Case No. 333 of 2022 registered for the offences punishable under Sections 30(a), 32(ii), 36, 42(ii) of the Bihar Prohibition and Excise Act.

The police on a secret information raided the house of the petitioner and on search total 108 liters country made chulai liquor was recovered.



Learned counsel appearing on behalf of the petitioner submits that the alleged recovery has been made from the hut, which has no concern with the petitioner. He further submits that in fact only on account of one past criminal antecedent of identical nature, his name has been implicated in this case and moreover, the investigation of the crime is already complete and charge-sheet has been submitted and the petitioner is in custody since 12.06.2022.

On the other hand, learned APP for the State opposes the bail application.

Having regard to the submissions made on behalf of the parties and considering the period of custody and the fact that the investigation of the crime is already complete and charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna in connection with Shastrinagar P.S. Case No. 333 of 2022, 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.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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