

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61070 of 2021

Arising Out of PS. Case No.-580 Year-2021 Thana- MANER District- Patna

Srikant @ Botala, Son of Suresh Singh, Resident of Village - Mansepur, P.S.-
Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 24-06-2022 Heard learned counsel for the petitioner and learned

APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Maner P.S. Case No. 580 of 2021 registered for the alleged offences under Sections 30(a), 36 and 41 (i)(ii) of the Bihar Prohibition and Excise Act, 2018.

As per allegation, 2148.750 liters of foreign liquor was recovered from the truck and the petitioner is said to be one of the co-accused person, who was escorting the truck in a Scorpio vehicle, however, learned counsel for the petitioner has submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 09.08.2021. Regarding the antecedent of the petitioner, learned counsel has submitted that he has also been made an accused in



three other cases.

Learned APP has opposed the prayer for bail, submitting that the petitioner is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the period of custody, 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 Special Judge, Excise Act, Patna in connection with Maner P.S. Case No.580 of 2021, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence for 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)

V.K.Pandey/-

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