

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61920 of 2021**

Arising Out of PS. Case No.-305 Year-2021 Thana- BANIAPUR District- Saran

MANTU KUMAR GIRI Son of Jagdish Giri Resident of Village - Puchhari,
P.S.- Baniapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv

For the Opposite Party/s : Ms.Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Baniapur P.S.Case No.305 of 2021, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation of S.I. of Baniyapur P.S., during course of raid by the party, the police has recovered 480 liters of illicit liquor from the four wheeler Car, which was seized by the police.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that as per allegation in the FIR, 480 liters of illicit liquor has been recovered from the Car in question. He further submits that nothing has been recovered from the conscious possession of the petitioner and the said Car does not belong to the petitioner. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Baniapur P.S.Case No.305 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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