

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53191 of 2022**

Arising Out of PS. Case No.-151 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Mukesh Manjhi Son of Ram Ratan Manjhi R/V and Post- Mahadeva o.p Dist-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 25-11-2022 Upon repeated call, no one appeared.

Let the defect(s), if any, be removed within two weeks
from today.

Heard learned A.P.P. for the State through virtual
mode.

The petitioner seeks regular bail in connection with
Siwan Mufassil (Mahadeva O.P.) P.S. Case No. 151 of 2022
lodged under Section 30(a)/41(i) of the Bihar Prohibition and
Excise Act, 2016.

As per the prosecution case, total recovery of 198 liter
wine is subject matter of the present case.

Learned counsel submits that from the said F.I.R. it is
clear that the alleged recovery was made from a barren land
situated in front of the house of one Praveen Kumar where

Bolero vehicle was standing. It was stated in the F.I.R. that petitioner was not apprehended from the place of occurrence and petitioner's name has come in this case by virtue of secret information. He further submits that petitioner is in custody since 23.07.2022 having 8 criminal cases pending against him.

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 Additional District Judge-Cum-Special Excise, Court-2, Siwan in connection with Siwan Mufassil (Mahadeva O.P.) P.S. Case No. 151 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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