

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63485 of 2021**

Arising Out of PS. Case No.-456 Year-2021 Thana- CHAPRA TOWN District- Saran

MANOJ KUMAR PATEL Son of Late Ramautar Prasad Resident of Mohalla
- Bhagwan Bazar, Hardan Basu Lane, Post - Bhagwan Bazar, Police station -
Bhagwan Bazar, District - Saran (Chapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 29-04-2022 Heard the parties through video conferencing.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 24.08.2021, seeks
regular bail in connection with Chapra Town P.S. Case No. 456
of 2021 dated 23.08.2021 registered for offences punishable
under Sections 30(a)/41(i) (ii) of the Bihar Prohibition and
Excise Act.

Allegation is of recovery of 250 litres of country-
made liquor from a tempo bearing Registration No.
BR04G5998.

Learned counsel appearing on behalf of the petitioner
submits that no recovery as alleged in the FIR has been made



from the possession of the petitioner. Petitioner has clean antecedent and he is in custody since 24.08.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner considering the rampant sale of illicit liquor in the State of Bihar which often cause hooch tragedy day after another and it would not be in public interest to release the petitioner on bail.

Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, the Court below is directed to obtain a report with respect to the tempo bearing Registration No. BR04G5998 and if it is found that same is not a stolen one, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 300,000/- (Rupees Three Lacs) with two sureties of the like amount each to the satisfaction of learned 2nd A.D.J. Cum Special Judge Excise, Saran in connection with Chapra Town P.S. Case No. 456 of 2021 dated 23.08.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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