

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54160 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- MANJHI District- Saran

Ritesh Kumar S/O Late Haribansh Sahni Resident of Mohalla- Salimpur
Ahra, Road No- 2, Near Durga Mandir, P.S.- Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Manjhi P.S. Case No. 234 of 2022 registered
for the alleged offences under Sections 30 and 30(a) of the Bihar
Prohibition Act and Excise Act, 2016.

As per prosecution case, police received information
about a four wheeler carrying illicit liquor from Uttar Pradesh to
Chapra. The checking of vehicle was started and a car was
intercepted. Two persons tried to flee away from the car and one
of them was apprehended, who is the petitioner of the present
case. From the intercepted car 207.36 litres of India made



foreign liquor was recovered.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and nothing incriminating has been recovered from his conscious possession. The petitioner was not apprehended from the car rather he was arrested from the road. The petitioner is not the driver of the said car as stated in the FIR. The petitioner is in custody since 27.06.2022 and charge sheet has already been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering his period of custody along with the submission of charge-sheet and his clean antecedent, 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 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Manjhi P.S. Case No. 234 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on 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)

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