

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56903 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- KIUL District- Lakhisarai

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MANNU KUMAR S/o Durbasa Mahto Resident of village- Mankor, P.S.-
Ariyari in the District of Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 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 Kiul P.S. Case No. 87 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per prosecution case, allegedly total 88.5 liters of
India made foreign liquor was recovered from the co-accused
persons and the petitioner. The petitioner and the co-accused
persons were apprehended from the spot by the police.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this

case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 16.06.2022. The petitioner has got clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner 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 Additional Session Judge-V-cum-Exclusive Special Court-2 Excise Act, Lakhisarai in connection with Kiul P.S. Case No. 87 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a 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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