

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68143 of 2021

Arising Out of PS. Case No.-725 Year-2021 Thana- ARARIA District- Araria

Manish Kumar Bharti @ Pintu Bharti @ Pintu Chaudhary S/o Chandrakishor
Bharti R/o village- Thumha, P.S.- Pipra, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-06-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Araria
P.S. Case No.725 of 2021 corresponding to PTN-
BRARO1P000309/2021 registered for the offence punishable
under Sections 30(a), 36, 41 of the Bihar Prohibition and Excise
Amendment Act, 2016.

948.555 ml. illicit Indian Made Foreign Liquor has
been recovered from a Tata 407 four wheeler. Arrested person
Ajay Chaudharey has stated about the petitioner being his
accomplice in illicit trade of liquor, leading to petitioner's
implication.

Petitioner's counsel submits that the petitioner is
having no criminal antecedents. He is in custody since



04.09.2021 and the prosecution does not allege any recovery from the petitioner.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions and having regard to the clean antecedents, period of custody as also the fact that the prosecution does not attribute any recovery from the petitioner's possession, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 the learned Additional Sessions Judge-II-cum-Special Judge (Excise) Araria, in connection with Araria P.S. Case No.725 of 2021 corresponding to PTN-BRARO1P000309/2021, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of



the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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