

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61297 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- ROHTAS District- Rohtas

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Mandrup Bhuiyan @ Ramrup Bhuiyan Son Of Late Ramrati Bhuiyan R/V-
Karma, P.S.- Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 16-12-2022 Heard Ld. counsel for the petitioner and learned

APP for the State.

The petitioner seek bail in connection with Rohtas
P.S. Case No. 293 of 2022, registered for the offences
punishable under Sections 30 (a) Bihar Prohibition and
Excise Act 2018/2022.

The prosecution story as emerges form the FIR is
that total 84 liters of country-made liquor has been



recovered from the sack.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner.

The petitioner has been languishing in jail since 21.07.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedents.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Exclusive Excise Court No. 2 cum Additional District and Sessions Judge,



Rohtas at Sasaram in connection with Rohtas P.S. Case No. 293 of 2022 on the following conditions:

(i) The petitioner will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, the learned court below shall cancel the bail bond of the petitioner after hearing them and getting satisfied that the petitioner has concealed their criminal antecedents despite their knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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