

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- MANIYARI District- Muzaffarpur

Vinod Sah Son Of Yadunath Sah Resident Of Village - Chakmehshi, P.S.-
Maniyari, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Maniyari P.S. Case No. 242 of 2021 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act. He is in custody since 04.10.2021 and has two criminal antecedents in which he is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story, on secret information the informant along with other police officials raided the house of co-accused Uma Shankar Rai, recovered total 318.375 liters of illicit liquor and



arrested Uma Shankar and he disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the name of the petitioner has transpired in the confessional statement of co-accused Uma Shankar who has already been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 55547 of 2021. The petitioner has remained in custody since 04.10.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner is in custody since 04.10.2021, he has two criminal antecedents in which he is said to be on bail, co-accused Uma Shankar Rai has already been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 55547 of 2021, investigation against him is complete and his presence may also be secured in course of trial, therefore, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Muzaffarpur in connection with Maniyari P.S.



Case No. 242 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

