

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.911 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- PARSA District- Saran

MANOJ SAH Son of Jagarnath Sah Resident of Village- Usari Bazar,
Navaratanpur, Police Station- Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections Sections 420, 467, 468, 471 and 120 (B) of the Indian Penal Code read with Sections 30, 30(a), 33, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Recovery is of 4515 liters of liquor from a truck.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that nothing



has been recovered from conscious possession of the petitioner rather the recovery has been made from the Truck in question. He further submits that the name of the petitioner has been transpired on the basis of the confessional statement of co-accused, namely, Mukesh Sahni @ Munna Sahni. He further submits that similarly situated co-accused persons, namely, Jitendra Singh has been granted bail vide order at Annexure-3, Mukesh Sahni @ Munna Kumar Sahni has been granted bail vide order dated 07-01-2022 in Cr. Misc. No.55301 of 2021 and several other co-accused persons have also been granted bail by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Parsa P.S. Case No. 112 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 step 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.

(Rajesh Kumar Verma, J)

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