

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52388 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- GORAUL District- Vaishali

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Mannu Singh @ Radhanandan Singh S/O Ramchandra Singh R/O Village-
Ramdayalu, Bhikhanpura, P.S- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Krishna Mohan Mishra, Advocate

Mr. Prasoon Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
17.06.2023 in connection with Goraul P.S. Case No. 253 of
2023, F.I.R. dated 17.06.2023 for the offences punishable under
Section 272 and 273 of the Indian Penal Code and Section
30(a), 32(ii), 38(2) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of total 480 liters of from the vehicle
and motorcycle.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been



recovered from the conscious possession or the house of the petitioner rather the recovery has been made from the truck and the motorcycle in question. He further submits that the petitioner is neither the owner nor the driver of the said vehicle in question and the said truck and motorcycle is belong to one co-accused Kunal Singh who is owner of the aforesaid vehicle in question. He further submits that petitioner has no concern at all with the alleged recovery of illicit liquor and merely on the basis of suspicion the petitioner has falsely been implicated in the present case. The petitioner is in custody since 17.06.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and nothing has been recovered from the conscious possession of the petitioner, 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 Exclusive Special Excise Court No.1-cum-Additional District and Session Judge, Vaishali at Hajipur in connection with Goraul P.S. Case No. 253 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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