

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3066 of 2023

Arising Out of PS. Case No.-399 Year-2021 Thana- VAISHALI District- Vaishali

Manjay Kumar @ Manjay Ray Son Of Anil Ray Resedent Of Village-
Rampur Juravan, P.S.- Vaishali (BELSAR O.P.) District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Namrata Mishra

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehend his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(b), 272 and 273 of the Indian Penal Code and Sections 30(a), 32(ii), 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits the petitioner is innocent and has falsely been implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 3984.390 liters of country made liquor is said to have been recovered from the truck and pick up van. He submits that it is clear that the petitioner's name transpired in



this case on the basis of the disclosure made before the police by the apprehended persons. He submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got two criminal antecedents of similar nature as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakh) in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Vaishali P.S. Case No. 399 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:



(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

anand/-

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