

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19063 of 2024

Arising Out of PS. Case No.-719 Year-2023 Thana- TAJPUR District- Samastipur

Manoj Kumar Singh @ Manoj Kumar S/o Late Ram Kumar @ Late Ram
Kumar Singh Resident of Rajkha Rampur, P.S.- Tajpur, District- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
G.R. No. 528 of 2023, arising out of Tajpur P.S. Case No. 719 of
2023, instituted for the offences punishable under Sections
30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 864 liters
liquor was recovered from three different vehicles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. It is further submitted that
the petitioner is neither driver nor owner of any of the seized
vehicles. The petitioner has been remanded in this case on



21.12.2023 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise G.R. No. 528 of 2023, arising out of Tajpur P.S. Case No. 719 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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