

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46675 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- NADI P.S. District- Patna

Manish Kumar Son of Anand Ray RESIDENT OF VILLAGE-JETHULI, P.
S.-NADI, DISTRICT-PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Nadi P.S. Case No. 156 of 2024 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 15.05.2024 by the informant, Ajay Kumar.

3. As per the prosecution story, the police during patrolling got secret information that some liquor has come from the train and accordingly apprehended the petitioner and recovered 94.5 liters of beer. He gave the name of other accused persons. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only due to local enmity, he has been implicated. Nothing has been recovered from his conscious possession and he has remained in



custody since 16.05.2024 (para-4 of the petition).

5. Learned APP opposes the prayer.

6. Considering his period of custody as also that the petitioner do not have criminal antecedent and the charge-sheet is already there, this Court is inclined to extend him the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise, Patna City, in connection with Nadi P.S. Case No. 156/2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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