

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68765 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- ATRI District- Gaya

Manish Bharti @ Manish Kumar, aged about 27 years, Gender-Male, S/o
Uday Singh @ Budhan Singh, Resident of Village- Hadsa, PS- Hisua,
District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mrigendra Kumar, Advocate

For the Opposite Party : Mr. Md. Iftekhar Mahmood, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Atri
P.S. Case No. 291 of 2023 dated 18.06.2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 318 litres of
foreign liquor was recovered near the *Païen (Canal)* and *bush*.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that nothing has been recovered from
the possession of the petitioner. It is submitted that due to past
criminal antecedent of the petitioner and on the disclosure made



by the local Chowkidar, the petitioner has been dragged in the present case. The *Païen (Canal)* and *bush* in question from which the alleged recovery of illicit liquor was made, does not belong to the petitioner. The petitioner has no concern with the alleged offence. It is submitted that the other co-accused person, namely, Arpit Jaynandan Singh @ Karu @ Arpit Naynyan Singh @ Karu Singh has already been granted bail by a Bench of this Court vide Cr. Misc. No. 63100 of 2024 under order dated 04.09.2024. The petitioner has thirteen criminal antecedents and in four cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Gaya in connection with Atri P.S.Case No. 291 of 2023 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

II. One of the bailors should be close relative
of the petitioner.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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