

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74633 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- JAYNAGAR District- Madhubani

Manoj Yadav @ Manoj Kumar S/o- Balram Yadav Village- Dhodhwar, P.S.
Jaynagar, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 & 414/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 45 liters of Nepali liquor is said to have been recovered from a motorcycle. The apprehended co-accused disclosed the name of the petitioner as one of his accomplice. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of the village Chaukidar due to previous enmity. There is violation of Section 100 Cr.P.C. Petitioner has two criminal antecedents of similar nature of the offence as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. Having regard to the facts and circumstances of the case, 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 learned Court below where the case is pending/successor Court in connection with Jaynagar P.S. Case No. 119 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that



- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. 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 Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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