

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78411 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- Manikpur District- Lakhisarai

Chandan Kumar @ Chandan Mandal Son of Umesh Mandal Resident of
village - Manikpur, P.S.- Manikpur, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-11-2024 Heard Mr. Binay Kumar, learned counsel for the
petitioner and Mr. Bishweshwar Ram representing the State.

2. The petitioner is in custody in connection with
Manikpur P.S. Case No. 102 of 2024 for the offence punishable
under sections 30(a) and 32(iii) of the Bihar Prohibition and
Excise Amendment Act, 2022 lodged on 05.09.2024 by the
informant, Chandana Kumari.

3. As per the prosecution story, the police during
patrolling intercepted a motorcycle and there is recovery/seizure
of 50 liter country made liquor. This led to the FIR, arrest.

4. Learned counsel for the petitioner submits that he
does not own the motorcycle, was a pillion rider and had no
knowledge what has been kept in the sack, for which he has
already suffered by being in custody since 06.09.2024 (para 11



of the petition).

5. Learned APP vehemently opposes the prayer for bail submitting that the petitioner has criminal antecedent and as such, he does not deserve bail.

6. Taking into account the submissions put forward by the parties as also the fact that this petitioner does not own the motorcycle, was a pillion rider, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District & Sessions Judge 4th cum Special Excise Court 1st, Lakhisarai in connection with Manikpur P.S. Case No. 102 of 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/her 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 fortnight for six months 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)

Vijay Singh/-

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