

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 169 of 2024

Arising Out of PS. Case No.-693 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

MANORANJAN SINGH S/O PITAMBER SINGH R/O VILLAGE-
JASauli PATTI, P.O AND P.S- KOTWA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr.Pravin Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Muffasil P.S. Case No. 693 of 2023 registered for the offences
punishable under Sections 30(a), 32, 41(1) of the Bihar
Prohibition and Excise Amendment Act, 2018.

As per prosecution case, 19.5 litre English liquor
has been recovered from Auto in question and two co-accused
persons were apprehended on spot. It is further submitted that
the recovered illicit liquor belongs to the petitioner as disclosed
by the apprehended co-accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. It is further submitted that petitioner was not apprehended on spot. The name of petitioner has been transpired in this present case on account of disclosure of co-accused Sachin Kumar and Bittu Kumar. Except disclosure, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner is not owner of the Auto in question and he has no knowledge about the said recovery. Petitioner is in custody since 29.10.2023. Petitioner bears criminal antecedent of three cases.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner was not apprehended on spot argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Motihari East Champaran in connection with Muffasil P.S. Case No. 693 of 2023, subject to the following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

asmit/-

U		T	
---	--	---	--

