

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78174 of 2024**

Arising Out of PS. Case No.-150 Year-2024 Thana- GANGABRIDGE District- Vaishali

Abhimanyu Kumar @ Manu Kumar S/o- Mauni Rai @ Muni Lal Ray
Resident Of Village- Diwan Tok, Ps- Gangabridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-01-2025

Heard the parties.

2. The petitioner is in judicial custody in connection with Gangabridge P.S. Case No. 150 of 2024 for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act, lodged on 30.07.2024 by the informant, Suman Saurabh.

3. As per the prosecution story, the informant alleged that upon information that the accused persons are carrying liquor in cars, it was intercepted and from search of Nano as well as Alto cars 540 liters of country-made liquor recovered/seized. The accused managed to escape, whereafter the FIR.

4. Learned counsel for the petitioner submits that he



has been falsely implicated in the case, nothing has been recovered from his conscious possession nor any of the cars belong to him. Further, without accepting the allegation and/or the outcome of the present petition the petitioner on its own is ready to pay Rs.20,000/- to the Chief Minister's Relief Fund. The last submission is that one co-accused Abhishek Kumar has been extended relief in Cr. Misc. No. 65419 of 2024.

5. Learned APP for the State opposes the prayer submitting that he has criminal antecedent.

6. Considering the submission put forward by the parties and the custody period, F.I.R. lodged, charge-sheet submitted, one of the co-accused has been extended relief as stated above, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 20,000/- as undertaken by the learned counsel for the petitioner to be paid to the Chief Minister's Relief Fund by Demand Draft of local State Bank of India and the receipt has to be submitted before the Trial Court.

7. 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 Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Gangabridge P.S. Case No. 150 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 *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court 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 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 bail bonds.

(Rajiv Roy, J)

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