

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90296 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- BANGARA District- Samastipur

Raja Kumar @ Majnu @ Manjnu @ Raja Kumar Majnu S/O Late Yogendra
Mahto R/O- Manpura PS- Bangara District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bangara P.S. Case No. 129 of 2024 dated 11.10.2024, instituted
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. Allegation is of recovery of 154.80 litres of foreign
liquor from Tempo bearing Reg. No. BR33PA2253 and driver of
the said tempo, namely, Manjay Kumar was apprehended on the
spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered either from
the conscious possession of the petitioner or from his house.



Only on the basis of confessional statement of apprehended accused, namely, Manjay Kumar, the petitioner has been made accused in this case. It is further submitted that the petitioner is neither the driver nor the owner of the said seized vehicle. Lastly, it has been submitted that he has one criminal case of similar nature against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bangara P.S. Case No. 129 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-01, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

prabhat/-

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

