

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19382 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

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Bechan Majhi @ Bechan Manjhi, Son of Late Singheshwar Majhi @ Late
Singheshwar Manjhi, Resident of village- Parsa, Ward No. 7, Police
Station- Kanauli, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.01.2018 in connection with Case No. C2/23 of 2018 for
offences punishable under Section 30A of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the S.S.B. Officials,
is that on patrolling duty, they apprehended the petitioner and
from the 15 bags 600 liters of Nepali Saufi wine was recovered.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and that he is languishing in judicial custody since more than three months and has been sufficiently punished.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was caught red handed.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Case No. C2/23 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will co-operate in the investigation and provide all papers necessary during investigation and will not tamper with the evidence.



(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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