

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42677 of 2018

Arising Out of PS. Case No.-150 Year-2018 Thana- MALSALAMI District- Patna

Govardhan Manjhi Son of late Ram Sharan Manjhi Resident of Village-
Mansurganj, Musahari, Police Station- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Malsalami P.S. Case no. 150 of 2018 registered under Sections
272, 273, 34 of I.P.C. and Sections 30(a), 38 and 41 of the Bihar
Prohibition and Excise Act-2016.

20 lts. of country made liquor is said to have been
recovered from Mushahari drain located in mohalla Marufganj
allegedly kept hidden by the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the place of recovery. Place of



recovery is open place and easily accessible to anyone. The petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 14.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Special Judge, Excise Patna in connection with Malsalami P.S. Case no. 150 of 2018.

(Prakash Chandra Jaiswal, J)

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