

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52008 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Rajesh Manjhi, S/o Saryu Manjhi, R/o Village-Kendui Bhui Toli (Near Gyan
deep School), P.S. Magadh Medical, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Ganesh Prasad Singh

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

ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Magadh Medical P.S. Case No. 112 of 2018 registered for the
offence punishable under Section 30 (a) of Bihar Prohibition
Excise Act, 2018.

55 lts. of country made liquor is said to have been
recovered from the house of the petitioner while 45 lts. of
country made liquor from beside his house.

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 with the
seized liquor. He has been falsely implicated in this case at the



instance of his enemy. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in the house and 45 lts. of country made liquor is said to have been recovered from outside his house, which is an open place. He was not apprehended on the spot. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 06.07.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Gaya in connection with Magadh Medical P.S. Case No. 112 of 2018.

(Prakash Chandra Jaiswal, J)

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