

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58053 of 2018

Arising Out of PS.Case No. -271 Year- 2017 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Govind Manjhi S/o Sadhu Manjhi, R/o Vill.- Sohan Bigha, 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. Anil Kumar Saxena

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Magadh
Medical P.S. Case No. 271 of 2017 for offences punishable under
Sections 30(a)(d) and 38(1)(2) of Prohibition of Bihar Excise Act,
2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that villagers of Sohan
Bigha are engaged in preparing and selling wine, as many as 14
houses were raided including that of the petitioner and from the



houses of the co-accused some country made wine and Mahua flower were found. From the house of the petitioner, five liters country made wine and 150 Kg of Mahua flower was found which was destroyed. He further submits that the allegation of 150 Kg of Mahua flower was seized had been destroyed which is itself contradictory as proper authentication and examination is not possible now. 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 nothing has been recovered from his conscious possession and that he is languishing in judicial custody since 05.08.2018. He submits that some of the co-accused named in the F.I.R. have already been granted the privilege of bail by co-ordinate Benches of this Court in Cr. Misc. No. 43069 of 2018 dated 26.07.2018, Cr. Misc. No. 48623 of 2018 dated 09.08.2018 and Cr. Misc. No. 52522 of 2018 dated 04.09.2018.

However, learned APP for the State opposes the prayer for bail.

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
Special Judge, Excise, Gaya in connection with Magadh Medical
P.S. Case No. 271 of 2017.

(Nilu Agrawal, J)

Devendra/Priyanka

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