

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3440 of 2018

Arising Out of PS.Case No. -481 Year- 2017 Thana -MARHAURA District- SARAN

=====

1. Laxmi Manjhi, Son of Late Chandeshwar Manjhi, Resident of Village-
Rampur Dakhin Tola, P.S.- Gaura O.P. (Marhowrah) District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Sri S. Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Marhowra Police Station Case No. 481 of 2017 registered for the
offences under sections 272, 273, 308 of the Indian Penal Code
and sections 30 (A)/38/41 of the Bihar Prohibition and Excise Act,
2016.

It has been submitted that nothing has been recovered
from the possession of the petitioner. The alleged recovery of 17
litres country-made liquor kept under the bundle of maize was
recovered from a field which is far away from the residential
house of the petitioner. Further submission is that the petitioner
has been implicated in this case at the instance of local Mukhiya



who is at inimical terms with this petitioner. The petitioner has clean antecedent.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI, Special Court, Excise Act, Saran at Chapra in connection with Marhowrah Police Station Case No. 481 of 2017, subject to conditions as laid down under section 438(2) Cr.P.C. with further conditions: (1) one of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned Court, (2) the petitioner will not induce any witness or tamper with the evidence (3) the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail and (4) If the petitioner is found



involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.

(Sanjay Kumar, J)

Mahesh/-

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

