

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63694 of 2017

Arising Out of PS.Case No. -290 Year- 2017 Thana -MASRAKH District- SARAN

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Tilak Manjhi S/o Late Nathuni Manjhi, R/o Village- Rashauli Takath, P.S.-
Panapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Mashrakh P.S. Case No. 290 of 2017 dated 17.10.2017 for the
offences punishable under Sections 272, 273 of the India Penal
Code and Section 30, 30(a), 38 and 41 of the New Amendment
Excise Act, 2016.

The prosecution story, in brief, is that 6000 liters
spirit is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. It is alleged that 6000



liters spirit is recovered from the Truck in question. The Truck in question does not belong to the petitioner. The name of the petitioner has come on the basis of secret information as per the F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 59289 of 2017 dated 13.12.2017. It is further submitted that many other co-accused persons have been granted bail by this Court, one of such order is dated 9.1.2019 passed in Cr. Misc. No. 63076 of 2017. It is also submitted that the petitioner is having a clean antecedent and he is in custody since 12.11.2017.

Considering the nature of accusation, the period of custody already undergone and the fact that the petitioner has a clean antecedent and the fact that other co-accused persons have been granted bail, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed



to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 6th A.D.J., Saran, Chapra in connection with Masrakh P.S. Case No. 290 of 2017.

(Mohit Kumar Shah, J)

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