

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48623 of 2018

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

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Arjun Manjhi S/o Indradeo Manjhi resident of Village - 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. Ravindra Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30 (a)(d) and 38(1)(2) of the
Bihar Prohibition and Excise Act, 2016.

5 liters of country made liquor and 60 Kg. of
fermented mahua are said to have been recovered from the house
of the petitioner and petitioner managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized article. He has been falsely implicated in this case



at the instance of his enemy. There is violation of Section 100 Cr.P.C. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said article in the house. He has no criminal antecedent and has been languishing in custody since 05.07.2018.

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 Act, Gaya in connection with Magadh Medical P.S. Case No. 271 of 2017.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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