

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41744 of 2018

Arising Out of PS.Case No. -140 Year- 2018 Thana -MALSALAMI District- PATNA

=====

Badri Manjhi, Son of Late Rajendra Manjhi, resident of Mohalla-
Mansurganj, P.S. Malsalami, Dist.- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Satyendra Prasad

=====

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

ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Sections 30(a) and 39(c) of the Bihar Prohibition
and Excise Act, 2016.

25 litres of country made liquor is said to have been
recovered from the drain and four persons were apprehended and
apprehended accused persons disclosed the name of the petitioner
as their accomplice.

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



either with the seized liquor or with the place of recovery or with any trade of liquor. He has been falsely implicated in the case by the apprehended accused persons due to animosity. Barring the aforesaid disclosure, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though three more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 16.04.2018.

Considering the facts aforesaid, 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, Patna in connection with Special Case No. 3637 of 2018 arising out of Malsalami P.S. Case No. 140 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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

