

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49612 of 2018

Arising Out of PS.Case No. -159 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

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Prabhu Manjhi S/o Late Mahangu Manjhi, R/o Vill.- Manikpur, P.S.-
Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh

For the Opposite Party/s : Mr. Ahmad Ali

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

2 13-08-2018 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 Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

800 ML country made liquor has been recovered from the
possession of the petitioner and at the instance of the petitioner,
24.200 liters of country made liquor is said to have been recovered
from the nearby bush.

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 liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from his possession. He has not made any disclosure. No liquor was recovered/seized on the basis of his disclosure. Liquor is said to have been recovered from open place which is easily accessible to anyone. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 15.07.2018.

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 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Gopalganj in connection with Excise Case No. 159 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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