

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52615 of 2018

Arising Out of PS.Case No. -265 Year- 2017 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Mithun Manjhi, S/o Ramjalan Manjhi @ Ram Janam Manjhi, R/o Village
Khiriya, 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. Vishwa Ranjan Choudhary

For the Opposite Party/s : Smt. Anita Kumari Singh

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

ORAL ORDER

2 27-08-2018

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 30(a)(c) and 38(1)(2) of the
Bihar Prohibition and Excise Act, 2016.

5 litres of country made liquor, 40 Kg of Kismis,
some pots and brewing machine are said to have been recovered
from the house of the petitioner and the 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
either with the seized articles or any activity of brewing liquor. He



has been falsely implicated in the case at the instance of his enemies. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the said articles in the house. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 06.07.2018.

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, Gaya in connection with Magadh Medical P.S. Case No. 265 of 2017.

(Prakash Chandra Jaiswal, J)

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