

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71414 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- PARAIYA District- Gaya

Rajesh Manjhi @ Rajesh Manjh, S/o Karu Manjhi, Resident of Village-Badalchak, P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Smt. Asha Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 17-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Paraiya P.S. Case No. 102 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code, Section 30(a)(d) of Bihar Prohibition and Excise Act, 2016 and under Section 2(c)/3/5/13 of Mahua Flower Act, 2006.

Allegation against petitioner is of recovery of 3 liters of mahua liquor and 60 Kgs. of mahua flower recovered from the house of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. The alleged recovery was made



from the joint house of the petitioner in which other family members also reside. Petitioner has no criminal antecedent and is in custody since 09.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya, in connection with Paraiya P.S. Case No. 102 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/Manoj

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