

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50039 of 2018

Arising Out of PS.Case No. -132 Year- 2018 Thana -ATRI District- GAYA

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Ratan Manjhi S/o Haru @ Hari Manjhi, resident of Village- Upathu Tola,
Manidigha P.S.- Atri, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Deepak Kumar, Adv.

For the Opposite Party : Mr. Rajendra Singh Shastriji, APP-47

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

ORAL ORDER

03 20-08-2018 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 272 & 273 of the Indian Penal Code and Sections 30 (a) and (d) of the Bihar Prohibition and Excise Act, 2016.

5 liters of country made liquor, earthen brewing machine and 100 liters of raw materials, which were destroyed at the place of occurrence, are said to have been recovered from the house of the petitioner and his father was apprehended while 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



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with the seized article or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. The petitioner was not apprehended at the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent and has been languishing in custody since 11.06.2018.

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 Excise Judge, Gaya in connection with Atri P.S. Case No. 132 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/R.Ranjan-

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