

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46668 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- MADHUBAN District- East Champaran

Pritam Manjhi S/o Baiju Manjhi, R/o Vill.- Tetariya, P.S.- Rajepur, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Uday Pratap Singh

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

ORAL ORDER

4 27-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Madhuban P.S. Case No. 55 of 2018 registered for the offence
punishable under Sections 272, 273 of the Indian Penal Code
and Sections 30 (a) of Bihar Prohibition Excise Act, 2016.

Petitioner along with five other accused persons
standing near the truck managed to escape, but they were
identified by the Chowkidar and from the truck, 5305.32 lts. of
foreign liquor was recovered.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either



with the seized liquor or with the truck in question or with any trade of liquor. He was not apprehended on the spot. He has been falsely implicated in this case by the Chowkidar. Barring the aforesaid disclosure made by the Chowkidar, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He has no criminal antecedent. He has been languishing in custody since 11.05.2018. Similarly situated co-accused, namely, Chaman Mian @ Anwar Hussain @ Chumman Mian @ Anwar Hussain, Mirchai Lal Rai @ Darshan Kumar @ Daresh Kumar and Dinesh Ram have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.07.2018 and 19.07.2018 passed in Cr. Misc. no. 42581 of 2018 and 42872 of 2018 respectively.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge of Excise, Motihari, East Champaran in connection with Madhuban P.S. Case No. 55 of 2018.

(Prakash Chandra Jaiswal, J)

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