

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14099 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- BHAGWANGANJ District- Patna

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MUNGESHWAR MANJHI Son of Munarik Manjhi Resident of Village-
Sherwanichak, Musahari, P.S.-Bhagwanganj, Dist.-Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
05.01.2019 in connection with Special Case No. 199 of 2018
arising out of Bhagwanganj P.S. Case No. 02 of 2019 for
offences punishable under Section 30 (a) (c) (d) of Bihar Excise
Prohibition Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information that the petitioner has
indulged in preparation and manufacturing of illicit liquor, a raid
was conducted and from the house of the petitioner, 15



litres mahua wine with utensils used in manufacturing wine was recovered. The petitioner was apprehended on the spot. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that he has been languishing in judicial custody since more than two months and undertakes to co-operate in the investigation not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner was apprehended red handed and the petitioner was found to be engaged in manufacturing of illicit liquor.

Considering the facts and circumstances of the case and materials on record, let the petitioner above named 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 Patna in connection with Special Case No. 199 of 2018 arising out of Bhagwanganj P.S. Case No. 02 of 2019, subject to the conditions that one of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file



an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

devendra/priyanka

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