

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16978 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- Belaganj District- Gaya

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Rajendra Manjhi, Son of Suresh Manjhi Resident of Village - Beladih, P.S.-
Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Belaganj P. S. Case No. 35 of
2019 dated 31.01.2019 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Though 2.5 litres of country-made Mahua wine is
said to have been recovered from the house of the



petitioner, but it has been submitted that such recovery has been made in the absence of the petitioner or his family members. The aforesaid facts can be verified from the seizure list which does not contain the signature of any one of the family members.

Learned counsel for the petitioner has drawn the attention of this Court to the fact that such recovery was made at the instance of the members of the rival gang who, taking advantage of the absence of the accused persons, including the petitioner, have planted the liquor in their respective houses.

Regard being had to the aforesaid nature of accusation as also the clean antecedents, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum 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 Belaganj P. S. Case



No. 35 of 2019, subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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