

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21729 of 2019

Arising Out of PS. Case No.-561 Year-2018 Thana- BRAHMPUR District- Buxar

MANJI BIND Son of Chandrama Bind Resident of Village- Gayghat, P.S.-
Brahmpur, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Satyapal Singh, Advocate
For the Opposite Party : Mr.Arbind Kr. Pandey (APP 84)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

The petitioner seeks bail in connection with Brahmpur
Police Station Case No. 561 of 2018 for the offence alleged
under Section 30(a) of the Bihar Prohibition And Excise Act.

The prosecution, as lodged by the police personnel is
that on secret information that 5 to 6 persons are carrying illicit
liquor, police raided the place. Seeing the police party those
persons fled away. Five persons including the petitioner were
identified by the Chaukidar. On search 162 liters of IMFL was
recovered. Accordingly, seizure list was prepared.

It has been submitted by learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that nothing has been recovered from his conscious possession, he was not arrested on the spot and it is only because his name was taken by the local Chaukidar who was on inimical terms with the petitioner, the petitioner on suspicion has been arrested. He further submits that the petitioner has been sufficiently punished as he is languishing in judicial custody since 09.12.2018 and that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witness.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating that the petitioner does not bear clean antecedent and one more case of similar nature is pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Brahmpur Police Station Case No. 561 of 2018 to the satisfaction of the learned Additional Sessions Judge II cum Special Judge, Excise, Buxar, subject to the condition that one of the bailors would be a close relative of the petitioner



having sufficient immovable property, who will file an affidavit
stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shashi

U		T	
---	--	---	--

