

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25959 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

1. DOMA MANJHI, aged about 41 years, Male, S/o Shree Manjhi, R/o village- Ramgarh Belokhar, P.S.- Mufashil, District- Nawada
2. Bhutto Manjhi, aged about 23 years, Male, S/o Late Saho Manjhi, R/o village- Manjour, P.S.- Warisaliganj, District- Nawada

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Adv.

For the Opposite Party : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-04-2019 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The petitioners seek bail in connection with Muffasil P.S. Case No. 58 of 2019 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that the petitioners were apprehended near the canal and 15 liters each illicit liquor was recovered from their possession. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that the petitioners are languishing in judicial custody since 17.03.2019 and undertake to cooperate in the investigation and



not to tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioners do not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Muffasil P.S. Case No. 58 of 2019 to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Nawada, or the successor Court, subject to the condition that one of the bailors of each of the petitioners would be a close relative having sufficient immovable property, who will file an affidavit stating his/their relationship(s) with the petitioner(s).

(Nilu Agrawal, J)

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