

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36743 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- DANIYAWAN District- Patna

MUNNA MANJHI, aged about 25 years, Male, Son of Umesh Manjhi,
Resident of Village - Daniyanwa, P.S.- Daniyanwa, Distt – Patna
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Kameshwar Singh, Adv.
For the Opposite Party : Mr. Madan Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-06-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
04.04.2019 in connection with Daniyanwa P.S. Case No. 42 of
2019, Special Case No. 2805 of 2019 for the offence alleged
under Sections 30(a)(c) and 38(1) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that 5 liters of mahua wine and some semi
manufactured mahua wine was recovered from the open field
near the house of the petitioner. It is alleged that the petitioner
along with others were engaged in manufacturing of mahua
wine. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, nothing



has been recovered from his house or from his conscious possession and the petitioner is languishing in judicial custody since nearly three months.

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

Considering the nature of allegations, the period of judicial custody 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 Daniyanwa P.S. Case No. 42 of 2019, Special Case No. 2805 of 2019 to the satisfaction of the learned Special Judge, Excise Act, Patna, or the successor Court, 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)

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