

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69365 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MADHAURAH District- Saran

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BIRU MANJHI @ BERU MANJHI, Male, aged about 44 years, Son of Late Mathura Manjhi, Resident of Village - Bardhiya, P.S. - Marhowrah, District - Saran at Chapra (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Rakesh Kumar, Advocate.

For the Opposite Party : Mr.Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 600 liters spirit is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 16.09.2019. The petitioner has falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is



alleged that total 800 liters spirit is recovered. The name of the petitioner has come in the present case on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned XIth Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, in connection with Marhowrah P.S. Case No. 23 of 2019.

(Sudhir Singh, J)

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