

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77581 of 2019

Arising Out of PS. Case No.-263 Year-2019 Thana- DELHA District- Gaya

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VIRU MANJHI Son of Munarik Manjhi Resident of Village -
Dhaniyabagicha, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2019 The present petition has been filed for quashing the order dated 15.10.2019 passed by the Special Judge, Excise, Gaya in connection with Delha PS case no. 263 of 2019 for the offence punishable under Section 37 (C) of Bihar Prohibition and Excise Act (Amendment), 2018, whereby and whereunder the bail bond of the petitioner has not been accepted on account of the petitioner having criminal antecedent.

The learned counsel for the petitioner has submitted that vide order dated 04.10.2019, the petitioner was granted the privilege of regular bail on the condition that at the time of submitting the bail bonds, he would also furnish an undertaking to the effect that he has got no criminal antecedent in the past and in case, the petitioner does not have any criminal antecedent, the bail bonds would be accepted, however on account of their being



one other case against the petitioner herein bearing Delha PS case no. 39 of 2019, the bail bonds of the petitioner has not been accepted by the learned court below vide impugned order dated 15.10.2019.

The allegation in the present case is regarding the petitioner creating nuisance in a drunken state, whereupon the police had apprehended him and found that he had consumed illicit liquor.

Having regard to the facts and circumstances of the case and considering the allegation levelled against him as far as Delha PS case no. 263 of 2019 is concerned, I deem it fit and appropriate to quash the order dated 15.10.2019 passed by the Special Judge, Excise, Gaya in connection with Delha PS case no. 263 of 2019.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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