

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77246 of 2019

Arising Out of PS. Case No.-420 Year-2019 Thana- ATRI District- Gaya

Saran Manjhi, S/o Late Fago Manjhi, R/o village- Jethian, P.S.- Arti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mrs.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 21.09.2019 in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 30 litres of country made liquor, 1200 litres of fermented Mahua and other equipments used for manufacturing the same were recovered from Balmati forest besides Jethian Rajgir road when the petitioner and others were apprehended from the spot.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area and co-accused Arun Manjhi has been granted bail by a Co-ordinate



Bench of this Court vide order dated 27.11.2019 passed in Cr. Misc. No. 74752 of 2019. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was apprehended from the place of seizure.

Considering the fact that the recovery has been made from an open area, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Atri P.S. Case No. 420 of 2019.

(Dinesh Kumar Singh, J)

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