

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 86813 of 2019**

Arising Out of PS. Case No.-103 Year-2019 Thana- MIRGANJ District- Gopalganj

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VISHAL MANJHI Son of Nathuni Manjhi Resident of Village - Jalurehata,  
P.S.- Uchkagaon, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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|                            |                      |
|----------------------------|----------------------|
| For the Petitioner/s :     | Mr.Shailendra Kumar  |
| For the Opposite Party/s : | Mr.Anil Prasad Singh |

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

**2      17-01-2020**      Heard learned counsel for the petitioner and the learned  
APP for the State.

The petitioner seeks bail in Mirganj Police Station (for brevity, *PS*) Case No 103 of 2019 instituted for the offence punishable under Section (s) 272, 273 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, secret information has been received by the police officials that petitioner and others are transporting some illicit country made liquor in a vehicle. Accordingly, the vehicle in question is said to have been stopped from which 414 liters of country made liquor is alleged to have been recovered. Petitioner's counsel submits that even as per the prosecution case, the petitioner has not been apprehended at the place of recovery. Even subsequently when the petitioner has been taken into custody, there is no recovery so as to suggest the petitioner's involvement in offences under Bihar Prohibition



and Excise Act. The petitioner is in custody since 19.11.2019. He is on bail in one of the two cases, details of which has been mentioned in paragraph 3 of the petition.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise) Gopalganj in connection with Mirganj PS Case No 103 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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