

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13396 of 2021

Arising Out of PS. Case No.-575 Year-2020 Thana- BARACHATTI District- Gaya

=====

Jhadu Manjhi @ Jharu Manjhi @ Jharu Mandal Son of Latan Manjhi
Resident of Village- Baju Kala Colony, P.S.- Barachatti (Mohanpur), Distt-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Uday Chandra Pratap

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-06-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the
defects, as pointed out by the office, within four weeks of resumption
of normal court proceeding. In the eventuality of non-removal of
defects within undertaken period, the office will place the matter
before the Bench.

The petitioner seeks bail in connection with Barachatti
(Mohanpur) P.S. Case No. 575 of 2020 registered for the offence
punishable under Section 30 (D) of the Bihar Excise and Prohibition
Act.

Total 30 kg Jawa Mahua and wine manufacturing apparatus
are said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no



incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized Jawa Mahua or the place of recovery or any trade of seized articles. He further submits that neither the petitioner was apprehended at the spot nor the alleged fermented Mahua flower was recovered from his conscious possession rather he has been falsely implicated in this case on the basis of suspicion. Petitioner has one criminal antecedent as has been mentioned in para-3 of the present petition in which he has already been granted bail and he is languishing in custody since 03.10.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barachatti (Mohanpur) P.S. Case No. 575 of 2020 subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the



court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

