

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17894 of 2021**

Arising Out of PS. Case No.-612 Year-2020 Thana- DANAPUR District- Patna

=====

ARVIND MANJHI S/O LATE RAJENDRA MANJHI R/O MOHALLA-
SAGUNA MORE MUSHARI TOLA, P.S-DANAPUR, DISTRICT-PATNA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Special Case No. 6281 of 2020 arising out of Danapur P.S. Case No. 612 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution story the informant along with his team was conducting raid against the illegal liquor traders and in course of raid he found country-made mahua liquor kept in seven plastic bags and three gallons near a house. When the police



inquired about the same one person tried to flee away but was caught and named himself Arvind Manjhi. On search total 500 litres country-made mahua liquor was recovered from those plastic bags and gallons.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that nothing has been found from the conscious possession of the petitioner rather it is alleged that the seized liquor was recovered near the house of the petitioner. Learned counsel submits that the petitioner is in custody since 22.10.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it appears on perusal of the records that the petitioner is in custody in connection with this case since 22.10.2020, investigation against him is complete but the trial is not likely to take place in near future, he has otherwise no criminal antecedent, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 6281 of 2020 arising out of Danapur P.S. Case No. 612



of 2020 subject to the condition as laid down under Section 437

(3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rishi/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

