

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31537 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- DIGHA District- Patna

1. KARU MANJHI Son of Yadunandan Manjhi Resident of Village- Nach Bagicha Digha, Police Station- Digha, District- Patna.
2. Parma Manjhi Son of Bhushan Manjhi Resident of Village- Nach Bagicha Digha, Police Station- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Digha PS case no. 126 of 2021 instituted for the offences punishable under Sections 30(a), 37(b), 30(c) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 255 liters of illicit liquor from an open orchard.

The learned counsel for the petitioners has submitted



that the petitioners are innocent, have been falsely implicated in the present case, are having clean antecedent and are languishing in custody since 27.02.2021. The learned counsel for the petitioners has further submitted that the field in question from where the illicit liquor has been recovered does not belong to the petitioners.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein and considering the fact that the field in question does not belong to the petitioners, I deem it fit and proper to admit the petitioners to the privilege of bail. Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise Act, Patna in connection with Digha PS case no. 126 of 2021.

(Mohit Kumar Shah, J)

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