

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38639 of 2021**

Arising Out of PS. Case No.-167 Year-2021 Thana- BELHAR District- Banka

RAM CHANDRA MANJHI S/o Ram Charitra Manjhi R/o village- Mathura,
P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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

2 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Special Excise Case No. 357 of 2021 arising out of Belhar P.S. Case No. 167/2021 registered under Section 30(a) of Bihar Prohibition and Excise Act 2018.

There is alleged recovery of 17 litres illicit country-made liquor and 30 Kg of *mahua* flower from the petitioner. He is in custody since 29.05.2021.

It is submitted by petitioner's counsel that recovery



is not in accordance with law and it is a case of false implication. The petitioner has one criminal antecedent of similar nature and in that case he is on bail.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned IInd Additional Sessions Judge-cum-Special Excise Act Judge Banka in Special Excise Case No. 357 of 2021 arising out of Belhar P.S. Case No. 167/2021, 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)

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