

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46042 of 2021

Arising Out of PS. Case No.-92 Year-2021 Thana- KHIJARSARAI District- Gaya

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GORELAL MANJHI Son of Late Chamari Manjhi Resident of Village-
Khaira Bhuiyan Toli, P.S.- Khizarsarai, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with
Khizarsarai P.S. Case No. 92 of 2021 registered for the
offence under Sections 30(a) and 37(2) of the Bihar
Prohibition and Excise Act.

Recovery is of 05 liters of illegal country made
liquor.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. In fact, nothing has been recovered
from the conscious possession of the petitioner and mere on
suspicion, this petitioner has been apprehended in the



present case. The petitioner is rotting in judicial custody since 21.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that two more identical cases other than the present one have been registered against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II -cum- Special Judge, Excise Act, Gaya in connection with Khizarsarai P.S. Case No. 92 of 2021, I.A. No. 03 of 2021 (CIS No. 717 of 2021) with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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