

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35970 of 2020

Arising Out of PS. Case No.-321 Year-2019 Thana- PANCHRUKHI District- Siwan

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SANJAY MANJHI S/o Vasudev Manjhi R/o village- Atarsua, P.S.- Sarai
O.P., District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Ms. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 26-03-2021 Heard Mr. Ajay Kumar Tiwary, learned counsel

for the petitioner and Ms. Sharda Kumari, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Pachrukhi (Sarai) P.S. Case No.

321 of 2019 instituted for the offences under Section 30

(a)of the Bihar Prohibition and Excise Act, 2016.

146.880 litres of liquor is said to have been

recovered from behind school premises kept beneath a bush.

The petitioner is said to have procured the aforesaid

consignment of liquor.

Hence his prosecution in the present case.



Learned counsel for the petitioner has submitted that the recovery of liquor is from an open place which is accessible to all & sundry.

The petitioner has clean antecedents and his implication in this case is only on the basis of stray statement of a spy that the petitioner has procured the aforesaid consignment of liquor.

Considering the aforesaid facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Excise, Siwan, in connection with Pachrukhi (Sarai) P.S. Case No. 321 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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