

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1235 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- UCHKAGAON District- Gopalganj

Babalu Manjhi @ Bablu Manjhi Son Of Late Harilal Manjhi Resident Of
Village-Mahaicha, P.S.-UCHKAGAON, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5- Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-07-2021 Heard Mr. Sanjay Kumar Pandey, the learned

Advocate for the petitioner and Mr. Damodar Prasad Tiwary, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Uchkagaon P. S. Case No.255 of 2020,
instituted for the offences under Sections 30(a), 32(ii) and 41(i)
of the Bihar Prohibition and Excise Act, 2016.

From the truck said to be parked at a particular
place in the market, 6330.560 litres of liquor was recovered. The
local persons of the area disclosed that amongst five of the
persons who ran away from the place of raid, one was the
petitioner.

The learned counsel for the petitioner has
submitted that he has got no connection either the vehicle or the



liquor which has been seized. He has been named by the local Chaukidar who has definite axe to grind against the petitioner.

The petitioner does not have criminal antecedents.

On the afore-noted grounds, it has been urged that no offence under the Excise Act can at all be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Gopalganj in connection with Uchkagaon P. S. Case No.255 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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