

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3577 of 2021**

Arising Out of PS. Case No.-226 Year-2016 Thana- WARISLIGANJ District- Nawada

BIJLI MANJHI S/o Lalo Manjhi R/o Village- Saur, P.S.- Warisaliganj,
District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-04-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Warisaliganj P.S. Case No. 226 of 2016 registered for the offences punishable under Sections 25(1-B) A/26 of the Arms Act and Section 47 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the informant on secret information searched the house of the petitioner and recovered one country-made katta and two litres



illicit liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and the recovery has been made in front of the house which is jointly occupied by several family members. Learned counsel submits that the petitioner has got no criminal antecedent and he is in custody since 07.07.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case and the submissions of learned counsel for the petitioner that the recovery of the country-made katta and two litres of illicit liquor have been made from the front side of the house which is in joint possession of the family of the petitioner, the petitioner is languishing in jail in connection with the present case since 07.07.2020 and at this stage he is the only bread earner of his family, prior to the present case he had no criminal antecedent, investigation against him is complete and there being no submission on behalf of the State that release of the petitioner at this stage is likely to result in tampering with



evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Warisaliganj P.S. Case No. 226 of 2016 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

