

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3924 of 2021

Arising Out of PS. Case No.-609 Year-2020 Thana- MADHAURAH District- Saran

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ARUN MANJHI Son of RAJENDRA MANJHI Resident of Village -
Semrahiya, P.S. - Marhowrah, District - Chapra Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Marhowrah P.S. Case No. 609 of 2020 registered for the offence punishable under Sections 30/30(a) of the Bihar Excise and Prohibition Act.

135 liters of Spirit is said to have been recovered from the pond. Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather the said recovery of 135 liters is said to have been recovered



from the pond. There is no compliance of Section 100 Cr.P.C. and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 02.12.2020 passed in Cr. Misc. No. 31252 of 2020.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner and the pond is not belonging to the petitioner in any manner. He has been falsely implicated in this case. The petitioner has no concern with the alleged incident. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.

Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 03.10.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with



two sureties of the like amount each to the satisfaction of
learned 2nd Additional Sessions Judge-Cum-Special Judge,
Excise, Saran at Chapra, in connection with Marhowrah P.S.
Case No. 609 of 2020.

The bail bond of the petitioner shall be accepted by the
learned Court below on showing receipt of deposit of
Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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