

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2747 of 2022

Arising Out of PS. Case No.-503 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

1. SHOBHA DEVI W/o Nandu Manjhi Resident of Village- Deodhara, P.S.- Sahebganj, District- Muzaffarpur.
2. Shatrudhan Manjhi S/o Vasudeo Manjhi Resident of Village- Deodhara, P.S.- Sahebganj, District- Muzaffarpur.
3. Raju Manjhi S/o Jagranath Manjhi Resident of Village- Deodhara, P.S.- Sahebganj, District- Muzaffarpur.
4. Sundeshwar Manjhi S/o Badri Manjhi Resident of Village- Deodhara, P.S.- Sahebganj, District- Muzaffarpur.
5. Bunni Manjhi Son of Etwari Manjhi Resident of Village- Deodhara, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14841 of 2022

Arising Out of PS. Case No.-503 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

SITARAM PASWAN SON OF GULAB PASWAN R/O VILLAGE-
BAIDHNATHPUR KARNAUL, P.S.- SAHEBGANJ, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 2747 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mrs.Veena Rani Prasad

(In CRIMINAL MISCELLANEOUS No. 14841 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.



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

The petitioners seek bail in connection with Sahebganj P.S. Case No. 503 of 2021 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, 25 litre country made liquor has been recovered from a plastic gallon and petitioners were apprehended at the spot.

Learned counsel for the petitioners submits that petitioners are in custody since 13.11.2021 and bear no criminal antecedent. Petitioners are quite innocent and have not committed any offence and they are simply victims of false implication due to police mechanism. Nothing has been recovered from conscious possession of the petitioners. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Petitioners have no concern with the alleged recovery in any manner and they are not involved in business of carrying/selling of illicit liquor.

The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case



as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Sahebganj P.S. Case No. 503 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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