

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4675 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- KARJA District- Muzaffarpur

MANEJAR @ MAINEJAR SAHNI SON OF BHOLA SAHNI R/O
VILLAGE- BARKA GAON, DAKSHNI, P.S.- KARJA, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Nandan, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with Karja
P.S. Case No. 139 of 2021 registered for the offence under
Sections 272, 273 and 34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016-18.

The petitioner is named in the FIR and is in
custody since 17.11.2021.

Allegation against the petitioner is to involved in
illegal business of illicit liquor, wherein, a recovery of 241.5
litres of foreign liquor was made from *Gumti* of co-accused,



namely, Ramaiyi Ram.

Learned counsel appearing on behalf of the petitioner submitted that recovery has not been made from the conscious possession of the petitioner and name of petitioner involved on the suspicion as raised by the villagers. While arguing over the matter, it has further been submitted that the petitioner is a man of clean antecedent and charge-sheet has already been submitted in this case. Learned counsel appearing on behalf of the petitioner further submits that recovery of illicit liquor has been made from the house of the main accused, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.03.2022 passed in Cr. Misc. No. 67280 of 2021.

Learned APP appearing while opposing the prayer for bail, fairly conceded the fact that it cannot be said that the recovery has been made from the physical conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the physical conscious possession of the petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Kajra P.S. Case No.139 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur subject to the following conditions:

“(i) Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Bhola Sahni who is the father of the petitioner, and deponent of the present bail petition.”.

(Chandra Shekhar Jha, J)

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