

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4344 of 2022

Arising Out of PS. Case No.-537 Year-2021 Thana- SIRDALA District- Nawada

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RAMJI MANJHI Son of Sewak Manjhi Resident of Village- Pandedih, Police
Station - Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-06-2022 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 petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sirdala
P.S. Case No. 537/2021 registered for the offences punishable
under Sections 30 (a), 30(c)/41 of the Bihar Prohibition and
Excise Act, 2016.

As per prosecution case, it is alleged that total 400
country made mahua was recovered and 100 liters country made
mahua liquor was destroyed by the fled away persons and 10
liters of country made liquor was also recovered on the spot. It
is stated that after being query on local villagers, the name of
the petitioner was being disclosed.



Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case on the basis of suspicion. Neither has been recovered from the possession of the petitioner nor from the house of the petitioner. The petitioner was not apprehended on the spot, his name was disclosed by the villager and Chaukidar. He further submits that the petitioner is in custody since 22.11.2021 and petitioner bears criminal antecedent of one case of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond 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, Nawada, in connection with Sirdala P.S. Case No. 537/2021, 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) Petitioner 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 petitioner tampers 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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