

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13038 of 2022**

Arising Out of PS. Case No.-392 Year-2021 Thana- SHEOHAR District- Sheohar

PRAMOD MANJHI S/O LATE DHARKHAN MANJHI R/o village-  
Rashidpur Ward No. 15, P.S.- Sheohar, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      14-06-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with  
Sheohar P.S. Case No. 392 of 2021, for the offence punishable  
under Section 30(a), 30(c), 30(d), 34, 36 and 38 of the Bihar  
Prohibition and Excise (Amendment) Act, 2018.

The allegation is recovery of 50.900 Litres of country  
made liquor from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner  
submits that the petitioner is innocent and he has falsely been  
implicated in this case. He further submits that the petitioner has  
been apprehended in the present case, illegally, by the Police  
personnel. The alleged recovery was not made in presence of the



petitioner as would appear from the seizure-list. He further submits that the seizure-list was neither handed over to the petitioner nor it bears the signature of the petitioner. The petitioner has clean antecedent and he is in custody since 19.11.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that it would not be in the interest of the society to release the petitioner on bail as after consuming country made liquor hooch tragedy is rampant in the State of Bihar.

Considering the aforementioned facts and circumstances of the case and period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Rs. Fifty thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge (Excise Act), Sheohar in connection with Sheohar P.S. Case No. 392 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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