

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19622 of 2022

Arising Out of PS. Case No.-422 Year-2021 Thana- WARISLIGANJ District- Nawada

Umesh Manjhi Son of Meghnath Manjhi Resident of Village - Rasanpur, P.S.-
Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

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

The petitioner seeks bail in connection with
Warisaliganj P.S. Case No. 422 of 2021 registered for the
offence under Sections 30(a), 30(d) and 41 of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.12.2021.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of 240
litres of illicit country made liquor.



Learned counsel appearing on behalf of the petitioner submitted that the recovery has been made from public place like marriage hall, which is no way connected with the petitioner and also the same has not been recovered from conscious physical possession of the petitioner. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that recovery has been made from public place.

Considering the facts and circumstances as mentioned above, as the alleged recovery has not been made from the conscious physical 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 Warisaliganj P.S. Case No. 422 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 Excise Court No. 2, Nawada, subject to the



following conditions:

“(i) Accused/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 Puni Devi, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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