

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26329 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

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ARUN MANJHI Son of Late Jamun Manjhi Resident of Village - Siyargarh,
P.s.- Gauradih, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-08-2022 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

Jagdishpur (Gauradih) P.S. Case No. 373 of 2021 registered for

the offences punishable under Sections 30(a) of the Bihar

Prohibition and Excise Amendment Act.

As per prosecution case, there is alleged recovery

of 60 litres Mahua liquor from the house of the petitioner.

Petitioner is apprehended on spot.

Learned counsel for the petitioner submits that

petitioner is in custody since 14.11.2021. Petitioner bears no

criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner is implicated in the present case due to village politics in connivance with villagers and police party.

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

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and also 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 Special Judge - 1st , Bhagalpur in connection with Jagdishpur (Gauradih) P.S. Case No. 373 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has 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 without appropriate permission 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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