

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40153 of 2021**

Arising Out of PS. Case No.-49 Year-2021 Thana- KATRA District- Muzaffarpur

Suresh Manjhi, S/O Late Sathu Manjhi, R/O Village-Angoan, P.S-Katra,
District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms.Bela Singh, Advocate

For the Opposite Party/ : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Md. Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Katra P.S. Case No. 49 of 2021 registered for the offences punishable under Sections 272, 273, 323, 353, 504 of the Indian Penal Code and Section 30(a), 30(c), 41(1) of the Bihar Prohibition and Excise Act. He is in custody since 10.03.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, on 09.03.2021 when the informant along with other police personnel were returning after



patrolling duty, he got secret information that Suresh Manjhi (the petitioner) of Angoan village was chulai making country made wine in his house. Thereafter, he reached there and raided the house of Suresh Manjhi and arrested him. Informant further alleged that from the house of the petitioner huge quantity of country made wine and raw materials etc. were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that nothing has been recovered either from the possession of the petitioner or from his house, the alleged recovery took place from a gairmajarua land beside his hut.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the quantity of liquor allegedly recovered from the possession of the petitioner and that he has no criminal antecedent, in connection with the present case he has remained in custody since 10.03.2021 and investigation against him is complete, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case



No. 49 of 2021, subject to the condition as laid down under
Section 437 (3) Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioner and in case at any stage
it is found that the petitioner has concealed his criminal
antecedent, the court below shall take step for cancellation of
bail bond of the petitioner. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

