

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31401 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- KAKO District- Jehanabad

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DINESHWAR MANJHI @ VINESHWAR MANJHI S/o Late Mohit Manjhi
Resident of Village- Baijori Bigha, P.S.- Kako (Bhelawara O.P.), District-
Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-08-2022 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 Kako
(Bhelawar O.P.) P.S. Case No. 72 of 2022 registered for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.04.2022.

The allegation against the petitioner is to be engaged
in illegal trade of illicit liquor, where, there is recovery of 4



litres of illicit mahua liquor.

Learned counsel appearing on behalf of the petitioner submitted that allegation of having possession of 4 litres of illicit liquor is not convincing on its face, as seizure list is not bearing signature of the petitioner. It is also submitted that seizure list is not supported by independent witnesses, which appears in violation of Section 100 (4) of the Cr.P.C. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that seizure list is not bears the signature of the petitioner.

Considering the facts and circumstances as mentioned above, as seizure list is disputed 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 Kako (Bhelawar O.P.) P.S. Case No. 72 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1,



Jehanabad/concerned court, subject to the conditions, as
mentioned in Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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