

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41290 of 2021**

Arising Out of PS. Case No.-102 Year-2021 Thana- LAXMIPUR District- Jamui

Manjesh Kumar S/o Duro Yadav R/o Village- Kusitari, P.S.- Laxmipur,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 06-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Laxmipur P.S. Case No. 102 of 2021, disclosing offence punishable under Sections 30(a)/30(D) of the Bihar Prohibition and Excise Act.

Allegedly, from the petitioner's possession 100 liters of country made liquor (*Mahua Wine*) was recovered leading to lodging of the F.I.R. and his arrest. The petitioner is in custody since 31.03.2021.

Learned counsel appearing on behalf of the petitioner



has submitted that there is no likelihood of early conclusion of the trial arising out the said Laxmipur P.S. Case No. 102 of 2021 and that the recovery cannot be said to be from the petitioner's possession.

Considering the facts and circumstances, particularly the period of petitioner's incarceration, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of learned Additional District and Sessions Judge 2nd, Jamui in Laxmipur P.S. Case No. 102 of 2021.

On perusal of the application, it is however, noticed that the petitioner has criminal antecedent. It is, therefore, observed that in case the petitioner is implicated in similar case in future, the prosecution shall be at liberty to approach this Court for cancellation of bail granted to the petitioner by virtue of the present order.

(Chakradhari Sharan Singh, J)

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