

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42816 of 2021**

Arising Out of PS. Case No.-99 Year-2018 Thana- BUNIYAD GANJ District- Gaya

Rambabu Manjhi, S/O Late Karu Manjhi, R/o village- Manpur Suryapokhar
Bhuiantoli, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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

3 23-03-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Pradeep Narain Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Buniyadganj P.S. Case No.99 of 2018 registered for the offences punishable under Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016. He is in custody since 02.03.2021. The petitioner has got three criminal antecedents and in all the cases he is on bail as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that, as per the prosecution story, five liters of Mahua liquor has been



recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that nothing has been recovered from the conscious possession of the petitioner, rather the alleged recovery was made from the joint house of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 02.03.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that five liters of mahua liquor has been recovered from the house of the petitioner, the petitioner has got three criminal antecedents in which he is on bail and in connection with the present case he is in custody since 02.03.2021, investigation against him is complete, but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gaya in connection with Buniyadganj P.S. Case No.99 of 2018, 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)

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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'.

