

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43238 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- KANHHAULI District- Sitamarhi

Nandu Manjhi Son of Sonphi Manjhi Resident of Village - Dostiya, P.S.-
Sonbarsa, District - Sitamarhi (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2022 Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

Petitioner who is in custody since 12.2.2021 seeks
regular bail in connection with Kanhauli P.S. Case No. 21 of
2021 registered for the offence punishable under sections 272
and 273 of the Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that he is
innocent and is having clean antecedent. He further submits that
co-accused Manoj Panjiyar has already been released on bail
vide order dated 7.1.2022 passed in Cr. Misc. No. 40365 of
2021.

Learned counsel appearing on behalf of the State has



submitted that illicit trade of liquor is rampant in the border and the complicity of the petitioner in the said trade cannot be ruled out. He further submits that the seizure list was prepared in presence of the petitioner and as such he does not deserve for grant of bail.

Considering the above mentioned facts and circumstances of the case, the petitioner having clean antecedent and nothing having been recovered from his conscious possession and another co-accused having been released on bail, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 100,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge Excise Act, Sitamarhi, in connection with Kanhauli P.S. Case No. 21 of 2021 subject to the following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall cooperates in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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