

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47521 of 2021

Arising Out of PS. Case No.-682 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Jehanabad

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MITHUN MANJHI Son of Gariban Manjhi Resident of Village - Madarpur,
P.S.- Jehanabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 Heard the parties through video conferencing.

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

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 01.02.2021 seeks
regular bail in connection with Excise Case No. 682 of 2020
registered for offence punishable under Section 30(a)(d),
53/36/57 of the Bihar Prohibition and Excise Act.

Prosecution case in brief is that altogether 15 litres of
mahua liquor was recovered along with 1600 kg of *jawa mahua*
from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that no offence has been committed by the petitioner however, alleged liquor which was kept in the house of the petitioner was for some customary reason and 1600 kg of *jawa mahua* was stored for feeding the cattle. He further submits that petitioner has no criminal antecedent and he is in custody since 01.02.2021.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case as well as there is no allegation of tampering the evidence or influencing the witness against the petitioner, the petitioner above named is directed to be enlarged to bail upon furnishing bail bond of Rs. 1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge Excise, Jehanabad in connection with Excise Case No. 682 of 2020 subject to the following conditions:

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

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers 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.

(iv) 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 bond.

(Purnendu Singh, J)

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