

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37771 of 2022**

Arising Out of PS. Case No.-346 Year-2022 Thana- BIHTA District- Patna

=====

AJIT MANJHI Son of Late Arjun Manjhi Resident of Village - Bihta Mushari  
@ Bata Mushari, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Sachida Nand Rai  
For the Opposite Party/s : Mr.Akbar Ali

=====

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      17-08-2022                      Learned counsel for the petitioner is permitted to  
make necessary correction in the prayer portion of the petition.

Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihta  
P.S. Case No. 346 of 2022 registered for the offences punishable  
under Sections 37(c), 30(a), 30(c), 32(iii), 34, 36, 41(i) of the  
Bihar Prohibition and Excise Act, 2018.

As per prosecution case, there is alleged recovery  
of 75 litre illicit country made liquor from the house of  
petitioner and he was apprehended on the spot.

Learned counsel for the petitioner submits that



petitioner is in custody since 14.04.2022 and bears criminal antecedent of one case of similar nature in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no incriminating article has been recovered from conscious possession of the petitioner and he has falsely been implicated in this case.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna in connection with Bihta P.S. Case No. 346 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

shahzad/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

