

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51650 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- PARAIYA District- Gaya

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LALDEO MANJHI @ BANDA MANJHI S/o LATE NANHKU MANJHI
R/o VILLAGE- PUNAKALA, TOLA- LODHAR, P.S- PARAIYA,
DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Puraiya Police Station Case No. 42 of 2021, registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as per the First Information
report, is that the police, on the basis of secret information that
the petitioner indulged in the trade of illicit liquor, raided the
house of the petitioner and recovered 85 litres of illicit country-
made liquor from the said house.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case by the police with oblique motive. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner inasmuch as the illicit liquor has been recovered from the joint house of the petitioner in which other family members of the petitioner also reside. He further submits that the petitioner was not arrested by the police at the time of search and seizure of illicit liquor. He further submits that the petitioner is in custody since 28.06.2021, having no criminal antecedent and charge sheet has been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, charge sheet has been submitted against him and the petitioner is in custody since 28.06.2021, having got no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each



with two sureties of the like amount each to the satisfaction of
learned 2nd Additional Sessions Judge -cum- Special Judge,
Excise, Gaya, in connection with Puraiya Police Station Case
No. 42 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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