

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43006 of 2022**

Arising Out of PS. Case No.-256 Year-2022 Thana- SHASTRINAGAR District- Patna

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Mohan Manjhi @ Sharwan Manjhi S/O Late Laxman Manjhi Resident of
Phulwari Mahua Bagh, P.S.- Rupaspur, District- Patna Bihar- 801503

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishal Kumar Singh, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Shastri
Nagar P.S. Case No. 256 of 2022 registered for the offence
under Sections 30(a), 32(ii), 36 and 42(ii) of the Bihar
Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.05.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 240 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor was made from hut,
which is not connected in any manner with petitioner, as



petitioner is resident of different locality. It is submitted that it is not a case of recovery of conscious physical possession of the petitioner, who is a man of clean antecedent. It is further submitted that seizure list does not bearing the signature of the petitioner. It has been submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Shastri Nagar P.S. Case No. 256 of 2022 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, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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