

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47566 of 2022

Arising Out of PS. Case No.-280 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. Lalbabu Manjhi, Son of Late Shivraj Manjhi, R/O Village- Karihara, Mushahar Toli, P.S.- Saraiya, District- Muzaffarpur
2. Ramchandra Manjhi, Son of Late Lahbar Manjhi, R/O Village- Karihara, Mushahar Toli, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-10-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

In the present case, the petitioners seek bail in
connection with Saraiya P.S. Case No. 280 of 2022 registered
for the alleged offences under Sections 272, 273 and 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

As per prosecution case, on secret information about
the petitioners manufacturing and selling liquor a raid was
conducted and recovery of total 50 litres of country made *chulai*



liquor was made from the identified place. On seeing the police, the petitioners started to flee away, and they were chased and apprehended.

The learned counsels for the petitioners submit that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from his conscious possession and they have nothing to do with the seized articles. The alleged seizure list is forged and fabricated which shows the false implication of the petitioners. The petitioners are in custody since 08.05.2022 and charge-sheet has been submitted and they have got clean antecedent.

Learned APP opposes the submission made on behalf of the petitioners.

Having regard to the submissions made hereinabove and considering the period of custody and clean antecedents of the petitioners along with the submission of charge-sheet, the petitioners above named are directed to 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 Exclusive Special Judge (Excise) Court No.-II, Muzaffarpur in connection with Saraiya P.S. Case No. 280 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:



(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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