

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47452 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- AMNAUR District- Saran

VINOD MANJHI SON OF LATE LAKHI MANJHI R/O VILLAGE-
DHARHARA BISHUNPURA, P.S.- AMNAUR, DISTRICT- SARAN,
CHHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-09-2022 Learned counsel for the petitioner is permitted to
make necessary correction in 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 in virtual court proceeding.

The petitioner seeks bail in connection with
Amnaur P.S. Case No. 168 of 2022 registered for the offences
punishable under Sections 272, 273 of the I.P.C. and Sections
30, 30(a) of the Bihar Prohibition Liquor and Excise Act, 2018.

As per prosecution case, there is alleged recovery
of total 281.80 litre country made liquor from the possession of
petitioner, from plastic sack kept beneath chowki and from



plastic bag kept under earth. Petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that petitioner is in custody since 11.06.2022 and bears no criminal antecedent. He further submits that nothing has been recovered from possession of the petitioner rather the alleged recovery has been made from the hut and the said hut does not belong to the petitioner. Petitioner has falsely been implicated in this case due to village politics.

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, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd cum First Exclusive Special Judge (Excise), Saran (Chhapra) in connection with Amnaur P.S. Case No. 168 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)

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