

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62569 of 2021

Arising Out of PS. Case No.-382 Year-2020 Thana- KHIJARSARAI District- Gaya

Gorelal Manjhi, Son of Late Chamaru Manjhi Resident of Village - Khaira
Bhuai Toli, P.S.- Khizarsarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Adv.
For the State	:	Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-03-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

The petitioner seeks bail in connection with Khizarsarai P.S. Case No.382 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The prosecution case in short is that on receiving confidential information by the police raid was conducted at the house of the petitioner and after search two liters country-made wine has been recovered from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present



case on suspicion. Learned counsel for the petitioner further submits that petitioner is neither arrested on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner and is in custody since 16.08.2021.

Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner carries two more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ind, Special Judge of Excise Act, Gaya in connection with Khizarsarai P.S. Case No.382 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Prakash Narayan /-

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