

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50760 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- CHANPATIA District- West Champaran

Keshaw Manjhi S/O Bansi Manjhi Resident of Garmua, Musahar Toli, P.S.-
Sirisia O.P, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishabh Mishra, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Chanpatiya, Sirisiya P.S. Case No. 288 of 2022 lodged under
Sections 272, 273 of I.P.C. and 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

As per the prosecution case, total recovery of 5 liter
wine is subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 21.07.2022 and charge

sheet has already been filed in this case. He also submits that petitioner's name has been figured in this case only due to his criminal antecedent and 4 criminal cases are pending against him, and he is on bail in all the cases.

Learned counsel for the petitioner submits that the said recovery was not made from the petitioner's possession.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Chanpatiya, Sirisiya P.S. Case No. 288 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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