

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54168 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- SIKTA District- West Champaran

Lalan Manjhi S/o Late Raghu Manjhi R/o village- Sirisiya, P.S.- Sikta,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Sikta P.S. Case No. 105 of 2022 registered for
the alleged offences under Sections 272 and 273 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act.

As per prosecution case, four litres of country made
chulai liquor was recovered from near the straw hut of the
petitioner and it was concealed beneath the land.

Learned counsel for the petitioner submits that the
petitioner is innocent and was not apprehended from the spot



and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 01.08.2022 and charge sheet has been submitted. Though the petitioner is having criminal antecedent in three other cases but he is on bail.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is having a criminal antecedent.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and further considering the period of custody of the petitioner along with the submission of charge sheet, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Sikta P.S. Case No. 105 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.



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

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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