

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56558 of 2022

Arising Out of PS. Case No.-418 Year-2022 Thana- PATLIPUTRA District- Patna

Premnath Manjhi S/o Late Baijnath Manjhi R/O Village- Mainpura
Mushahari gate- 54 P.S.- Patliputra, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Patliputra
P.S. Case No. 418 of 2022 registered for the offence under
Section 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.07.2022.

The allegation against the petitioner is to have in
possession of 176 liters of country made wine.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor was not made from the
conscious physical possession of the petitioner. It is submitted
that recovery appears doubtful, as seizure list is not supported



by independent witnesses rather by police personnel. It is further pointed out that petitioner is involved in one more case of similar nature in which he is on bail. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances. as mentioned above, as seizure list appears doubtful being not supported by independent witnesses coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Patliputra P.S. Case No. 418 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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