

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66605 of 2021

Arising Out of PS. Case No.-405 Year-2021 Thana- DIGHA District- Patna

1. JITENDRA MANJHI S/o Mirchan Manjhi R/o Nach Bagicha Mushari, P.S. - Digha, District - Patna.
2. Sunny Kumar S/o Late Bindeshwar Manjhi R/o Nach Bagicha Mushari, P.S. - Digha, District - Patna.
3. Kashi Manjhi S/o Late Gorakh Ram Bachchan Manjhi R/o Nach Bagicha Mushari, P.S. - Digha, District - Patna.
4. Kishun Manjhi @ Kishun Ram S/o Late Gorakh Ram R/o Nach Bagicha Mushari, P.S. - Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Learned counsel for the petitioners has filed supplementary affidavit stating therein that due to typographical error, the alias name of petitioner No. 4 “Kishun Manjhi @ Kishun Ram” could not be mentioned in the bail petition.

Let alias name of the petitioner No. 4 “Kishun Ram” be added and read in the cause title of the bail petition.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State.

Petitioners seeks regular bail in connection with Special Case No. 4563/2021 arising out of Digha P.S. Case No.



405/2021 registered for the offence punishable under Section 30(a), 37(1), 37(2) of Bihar Prohibition & Excise (Amendment Act, 2016. of the Bihar Prohibition and Excise Act, 2016.

The Police on the basis of secret information that illicit country made liquor was being manufactured in a liquor kiln, proceeded towards the place of occurrence and upon seeing the Police Party, the accused persons started fleeing away, however, petitioners along with four (04) accused persons were arrested and a total quantity of 165 litres of country made liquor was recovered from the said liquor kiln.

Learned counsel for the petitioners submits that the petitioners are having no criminal antecedents and they have falsely been implicated in this case merely because the petitioners had visited the orchard for some work from where the illicit liquor has been recovered. Learned counsel next submits that similarly situated co-accused/Rajendra Choudhary and Dipu Manjhi have been granted bail by this Court in Cr. Misc. Nos. 54482 of 2021 and 68542 of 2021 respectively. The petitioner is in custody since 25.7.2021 having clean antecedent and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the



fact that petitioners have got no criminal antecedents, they are in custody since 25.7.2021, charge sheet has already been submitted and similarly situated co-accused persons have been granted bail this Court, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 4563 of 2021 arising out of Digha P.S. Case No. 405/2021.

(Anil Kumar Sinha, J)

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