

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57581 of 2022

Arising Out of PS. Case No.-240 Year-2022 Thana- AMNAUR District- Saran

1. Kuchcha Manjhi S/o- Late Sheo Pujan Manjhi, R/o village- Basantpur Bagala, P.S.- Amnour, District- Saran
2. Bipin Kumar @ Bipin Kumar Manjhi S/o- Kuchcha Manjhi, R/o village- Basantpur Bagala, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Amnour P.S. Case No. 240 of 2022 lodged under Sections 30
and 30(a) of Bihar Prohibition and Excise Act, 2018.

As per prosecution case, the total recovery of 425 liter
country made wine has been made, which is subject matter of
the present case.

Learned counsel for the petitioners submits that the
alleged recovery as per seizure list has been made from three

places, so far as the case of present petitioners are concerned only 231 liter of country made wine are related with them. He further submits that from the F.I.R. it is clear that the petitioners were fled away but in the seizure list it has been made that recovery has been made from them, there are contradiction in the same. He further submits that antecedents of petitioners are clean they are in custody since 14.08.2022 and charge sheet has already been filed in this case. He also submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-I-Exclusive Special Judge, Excise, Saran (Chapra) in connection with Amnour P.S. Case No. 240 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 their bail bond.

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

C. The petitioners 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 their present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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