

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61958 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- CHANAN District- Lakhisarai

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Lukhar Manjhi S/O Late Ramjatan Manjhi R/v- Bhandar, P.S.- Chanan,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Chanan P.S.

Case No. 125 of 2022 registered for the offence under Section 30(a)

of the Bihar Prohibition and Excise Act, 2018.

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

custody since 20.08.2022.

The allegation against the petitioner is to be engaged in

illegal trading/manufacturing of illicit liquor, where, there was

recovery of 6 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner

submitted that the alleged illicit liquor was made from an open place



beside the house and as such it can be safely gathered that recovery of illicit liquor was not made from conscious physical possession of this petitioner. It is further submitted that seizure list is not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor was made from an open place coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Chanan P.S. Case No. 125 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 Additional District and Sessions Judge IVth cum Special Excise Court-1st, Lakhisarai/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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