

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4942 of 2023

Arising Out of PS. Case No.-43 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Shyam Babu Manjhi Son Of Late Karu Manjhi Resident Of Village-
Suryapokhar Manpur Bhuintoli, P.S.- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-03-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No. 43 of 2021 lodged under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, on secret information
raid was made on the house of the petitioner but he was not
apprehended from his house and total recovery of 30 liter of
mahua wine has been made. This is subject matter of the present
case.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the place of occurrence.
He further submits that petitioner is in custody since 27.11.2022
having seven criminal cases pending against him, in which he is
on bail in all the seven cases. Charge sheet has already been

filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that criminal antecedent of the petitioner is not clean and if bail shall be granted to him then he shall be at liberty to do such crimes, again and again.

Upon specific query that whether charge has been framed or not, counsel for the petitioner submits that charge has not been framed in this case till date.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail afterthat, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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