

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5898 of 2023

Arising Out of PS. Case No.-482 Year-2022 Thana- PARSABAZAR District- Patna

AKHILESH MANJHI Son of Mahesh Manjhi R/o village - Supalpur
Ahaupath, P.S.- Punpun, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
28.09.2022 in connection with Parsa Bazar P.S. Case
No.482/2022, Spl. Case No.6205/2022, F.I.R. dated 27.09.2022,
for the offences punishable under Sections 30(A) of the
Prohibition of Excise Act.

According to prosecution case, altogether 200 litres of
country made liquor was found in possession of the petitioner
and the co-accused.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of suspicion.
He further submits that nothing has been recovered from



conscious possession or the house of the petitioner rather the recovery has been made from an open place and there is non-compliance of Section 100 of the Cr.P.C. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Parsa Bazar P.S. Case No.482/2022, Spl. Case No.6205/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

