

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16531 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- GAYA RAIL P.S. District- Gaya

Sanjay Manjhi Son of Dipach Manjhi Resident Of Village- Manjhi Tola,
Tankuppa, Ps- Tankuppa, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Onkar Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Gaya Rail
P.S. Case No. 30 of 2023 dated 03.02.2023 registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of 60
litres of country made mahua wine and the same is stated to
have been recovered from a coach of passenger train and
petitioner was found travelling in the said coach and as per the
prosecution's story, the alleged wine was kept beneath the berth
and the same was not found in conscious possession of this
petitioner. Further submissions are that the petitioner has fair

and clean antecedent and he has been languishing in jail since 04.02.2023 and against him the investigation has been completed and there is no independent witness of the search and seizure of the alleged wine.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner’s fair and clean antecedent, his custody period and the completion of investigation against him and also the fact that the alleged wine is stated to have been recovered beneath the berth of a coach of a passenger train and petitioner is stated to be one of the passengers travelling in the said coach, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Gaya Rail P.S. Case No. 30 of 2023.

(Shailendra Singh, J)

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