

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27818 of 2023

Arising Out of PS. Case No.-204 Year-2022 Thana- GOPALPUR District- Patna

MUKESH MANJHI Son Of Late Saryug Manjhi R/O Mittan Chak, Musahari,
P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishikesh Narayan Sinha. Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-04-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Gopalpur P.S. Case No. 204 of 2022, dated 16.04.2022
registered for the offences punishable under Sections 30(a)(c),
32, 36 and 45 of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the alleged recovery of 80 Liters illicit *Mahua*
Wine is stated to have been recovered from the hut of the
petitioner but the hut of the petitioner was in dilapidated
conditions when the said recovery was made and moreover, the
recovery was made before the police persons who have been
made witnesses of the seizure and the petitioner has been
languishing in jail since 19.01.2023 and against him
investigation has been completed. Further submission is that



though against the petitioner there are criminal antecedents of five cases but he has got bail in four cases out of the said antecedent cases.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that the investigation has been completed against the petitioner and the recovery of the alleged wine was made before the official persons and in the trial of the petitioner official persons are mainly to be examined as prosecution witness, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail **after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Gopalpur P.S. Case No. 204 of 2022.

(Shailendra Singh, J.)

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