

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29048 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- PARAIYA District- Gaya

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Banshi Manjhi Son Of Late Gohan Manjhi Resident Of Village- Girdhara, Ps-
Paraiyya, Distt- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance:

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

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

- 2 18-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Paraiyya
P.S. Case No. 104 of 2023 dated 03.03.2023 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 a
total 128.625 litres of illicit liquor from the possession of three
accused persons including this petitioner but the petitioner is
only concern to the recovery of 56 litres of said liquor as the
same is alleged to have been recovered from his conscious
possession but in fact, he has been made accused merely on the
basis of suspicion and he is a labourer and nothing as alleged
was recovered from his conscious possession and he has been
languishing in jail since 04.03.2023 and the alleged liquor was

recovered from plastic packets kept in a sack and on the alleged day of recovery, the petitioner was hired by one namely, Rambali Yadav for carrying the said sack and he has fair and clean antecedent and against him, the investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Paraiya P.S. Case No. 104 of 2023** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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