

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40719 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- GARDANIBAG District- Patna

JEETAN MANJHI son of Late Sahdeo Manjhi @ Kasi Manjhi Village- Babu
Bazar Mushher Toli- Ps- Gardani Bagh Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Gardani
Bagh P.S. Case No. 272 of 2022 registered for the offence under
Sections 30(a), 34 of the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 09.01.2023.

5. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 221 litres of IMFL/country made liquor from an open
place behind the house of this petitioner.

6. Learned counsel appearing on behalf of the
petitioner submitted that alleged recovery of illicit liquor appears to



be made from an open place behind the house of this petitioner, which is accessible by general public and, as such, it can be said safely that recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor appears to be made from an open place coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 09.01.2023, accordingly, above named petitioner is directed to be released on bail in connection with Gardani Bagh P.S. Case No. 272 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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