

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46454 of 2023

Arising Out of PS. Case No.-55 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Shankar Manjhi, Son Of Lala Manjhi @ Lal Manjhi Resident Of Village -
Manpur Suraj Pokhar Bhuiyan Toli, P.S. - Buniyadganj, Distt. - Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 35 litres of liquor from the house of named accused
persons, out of which, 10 litres of liquor is alleged to have been
recovered from the house of the petitioner.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and came to be
implicated based on suspicion. It is also submitted that even the



house, which is a joint family property and thus, cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the house or the liquor kept in the house was within his knowledge.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Gaya in connection with Buniyadganj P. S. Case No.55 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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