

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55706 of 2023

Arising Out of PS. Case No.-616 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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MUNNA MANJHI @ MUNNA KUMAR Son of Umesh Manjhi R/o vill -
Sansar Pokhar, P.S. - Kawaiya (Lakhisarai), Distt. - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Munish Kumar
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 37 of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the petitioner was
apprehended in intoxicated condition and on breathe Analyzer
test, he found consumed alcohol.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. No
incriminating/liquor article has been recovered from the
conscious possession of the petitioner. There is no allegation of



selling and purchasing of illegal liquor against the petitioner, he was found only in intoxicated condition. The provision of Section 100 of the Cr.P.C. has not followed in this case. He is languishing in judicial custody since 01.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Government Official Comp. P.S. Case No. 616 of 2023.

(Sunil Kumar Panwar, J)

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