

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55818 of 2023**

Arising Out of PS. Case No.-495 Year-2023 Thana- FATEHPUR District- Gaya

Shankar Manjhi Son Of Falit Manjhi @ Kalat Manjhi R/O Vill- Dhibar, Ps-
Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 25 liters of country made liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery and also nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. There is no



independent witness of the seizure rather they are police personnel. Moreover, he is languishing in judicial custody since 09.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatehpur P.S. Case No. 495 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya.

(Sunil Kumar Panwar, J)

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