

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63975 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- BARHAT District- Jamui

RAMOTAR MANJHI, S/o Late Raju Manjhi, Resident of village- Khairama,
P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Barhat P.S.
Case No. 72 of 2022 registered for the offence punishable under
Sections 272 and 272 of the Indian Penal Code and Sections 30(a)
and 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

10 litres country made wine has been recovered from two
gallon containers. Petitioner has allegedly abandoned the gallons and
was fleeing away in an intoxicated state.

Learned counsel for the petitioner submits that even as per
prosecution case, the recovery is not from the petitioner's conscious
possession. He was just passing by the place of recovery and has
been implicated on suspicion as well as his antecedent, being one
case of similar nature. The recovery is denied and disputed. He is in
custody since 17.07.2022.



Learned APP for the State has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court -1, Jamui, in connection with Barhat P. S. Case No. 72 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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