

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64506 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- GAYA MUFASIL District- Gaya

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Gauna Manjhi @ Ganesh Manjhi @ Gaina Manjhi Son Of Late Keshar
Manjhi @ Bhukhand Manjhi Resident Of Village - Salempur Bhuin Toli
(Bahora Bihgha), P.S. - Mufassil, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 48 of 2023 lodged under Sections
30(a)/32(2) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per the prosecution case, total recovery of 40
liters of country made Mahua liquor has been the subject matter
of the present case.

4. Learned counsel for the petitioner submits that
nothing has been recovered from the possession of the
petitioner; rather it has been made from the abandoned place,
which transpires from the seizure memo. Counsel for the



petitioner submits that name of the petitioner figured by virtue of statement made by middleman with whom the petitioner has enmity. Petitioner is in custody since 07.07.2023 and charge sheet has already been submitted in this case. The petitioner has only one criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court No.1, Gaya, in connection with Muffasil P.S. Case No.48/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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