

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68693 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- MANIGACHI District- Darbhanga

Mahesh Panjiyar Son Of Late Suraj Panjiyar Resident Of Village- Ward No.
1, Wajitpur Bazar, Ps- Manigachhi (Wajitpur OP), Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Manigachhi (Wajitpur O.P.) P.S. Case No. 176 of 2023 dated
15.08.2023, lodged under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. As per the prosecution case, the total recovery of
2.7 litre foreign liquor has been made, which is the subject
matter of the present.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that due to dirty village politics, the name of petitioner
has been inserted in this case. Counsel submits that the
petitioner is in custody since 16.08.2023. Counsel also submits

that there is one criminal case pending against the petitioner in which he is on bail.

5. Learned A.P.P. 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 Only) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Special Court Excise- IInd, Darbhanga in connection with Manigachhi (Wajitpur O.P.) P.S. Case No. 176 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--