

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66125 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- WAJIRGANJ District- Gaya

RAMASHARY MANJHI @ RAMASHRAY MANJHI SON OF
RAMBILASH MANJHI @ VILASH MANJHI RESIDENT OF VILLAGE -
BUDHGHREYA, POLICE STATION - WAZIRGANJ, DISTRICT - GAYA
(BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Wazirganj P.S. Case no.17 of 2023 registered under sections 30(a), 30(b) and 45 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, a raid was conducted. It is stated that 35 and 15 litres ie a total of 50 litres of liquor was recovered from the house of Shradha Devi while utensils etc. was recovered from the place of occurrence. It is further stated by the informant that three named accused persons including the petitioner herein and one Sanju Manjhi were identified by the local Chowkidar as the persons who had escaped.



4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. He has no concern with the place of seizure. Co-accused Sanju Manjhi has been enlarged on bail. The petitioner is in custody since 17.8.2023 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, grant of bail to the co-accused Sanju Manjhi, the petitioner not having been arrested at the spot and having no criminal antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Wazirganj P.S. Case no.17 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.1, Gaya.

(Partha Sarthy, J)

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