

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67238 of 2022

Arising Out of PS. Case No.-104 Year-2020 Thana- KARJA District- Muzaffarpur

NARESH MANJHI Son of Julum Manjhi R/o Narhar Saray, P.S- Karja, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Karja P.S. Case No.104 of 2020, registered for the offences punishable under Sections 272/273/34 of the Indian Penal Code and Section 30 of the Bihar Prohibition & Excise (Amendment) Act, 2018.

The allegation is regarding the police have apprehended a truck and, on search, 1250.460 litre of illicit liquor was recovered. As far as the petitioner is concerned, it is alleged that the person arrested from the said truck had disclosed



that the petitioner was guiding the truck driver by his mobile phone.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 26.09.2022. The learned counsel for the petitioner has further submitted that neither any illicit liquor has been recovered from the petitioner nor the petitioner is the owner of the truck in question nor he has been apprehended from the spot, hence, he is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot, nor the truck in question belongs to the



petitioner, and nor any illicit liquor has been recovered from his possession, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No.II, Muzaffarpur in connection with Karja P.S. Case No.104 of 2020.

(Mohit Kumar Shah, J)

kanchan/-

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

