

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69168 of 2022

Arising Out of PS. Case No.-185 Year-2022 Thana- GAURICHAK District- Patna

BHOLA MANJHI Son of Ram Ratan Manjhi Resident of Chipurakala
Mushahari, P.S.- Gaurichak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan

For the Opposite Party/s : Mr.Arun Kumar Pandey

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 Gaurichak P.S. Case No. 185 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

The allegation is regarding recovery of 120 liters of illicit country made liquor from near a water tank and the local people had disclosed about the complicity of the petitioner and other co-accused persons in the alleged occurrence.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 5.4.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases, but he is on bail in both the said two cases. The learned counsel for the petitioner has further submitted that neither the petitioner has been apprehended from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner, hence, the petitioner 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 apprehended from the spot nor any illicit liquor



has been recovered from the possession of the petitioner, 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 Exclusive Special Judge, Excise Court at Patna City in connection with Gaurichak P.S. Case No. 185 of 2022.

(Mohit Kumar Shah, J)

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