

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71903 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- BAHADURPUR District- Patna

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LAXMAN MANJHI Son of Late Wakil Manjhi @ Late Bahadur Manjhi
Resident of Village - Bahadurpur Musahari, P.S.- Bahadurpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bahadurpur P.S. Case No. 218 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 180 liters of illicit liquor from the roof of the hut in question.

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 20.8.2022. The learned counsel for the petitioner has further submitted that since the petitioner is an accused in three similar type of cases, he has been falsely implicated in the present case. It is further submitted that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the petitioner has been arrested 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 the petitioner is having a bad antecedent, though I am not inclined to grant bail to the petitioner at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charges by



the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Exclusive Special Judge Excise, Patna in connection with Bahadurpur P.S.Case No. 218 of 2022.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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