

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82189 of 2023

Arising Out of PS. Case No.-780 Year-2023 Thana- RUPASPUR District- Patna

Sanju Kumar @ Sanju Manjhi Son Of Late Sohan Manjhi Resident Of
Village- Govindpur Mushahari, Police Station- Phulwarisharif, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Raj

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 100
litres of country made liquor from Auto bearing Reg. No.
BR-01PM-8433. Petitioner is alleged to be sitting in the
aforesaid vehicle and apprehended on spot along with
the driver.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He has no concern either with the alleged recovery or with the vehicle in question. There is no independent witness of the alleged seizure. Moreover, he is languishing in judicial custody since 21.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State, vehemently opposed the prayer of bail and submitted that petitioner is sitting in the aforesaid vehicle.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge,



Danapur, Patna in connection with Rupaspur P.S. Case
No. 780 of 2023.

The petitioner is directed to deposit a sum of
Rs. 5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be accepted
by the learned Court below on showing receipt of deposit
of Rs. 5,000/-(Rupees Five Thousands) in District Legal
Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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