

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8296 of 2024

Arising Out of PS. Case No.-766 Year-2023 Thana- Excise P.S. District- Nawada

Tuntun Manjhi Son of Late Bengali Manjhi R/O-Tapsi Bigha Samai Tola,
P.S.-mufasil, Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 766 of 2023 instituted for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 73 litres of
country made illicit liquor kept in plastic bag was recovered
from Sadipur Halt Railway Station.

4. It has been submitted on behalf of the petitioner's
counsel that the petitioner is in custody since 01.10.2023.
Petitioner bears one criminal antecedent, as per disclosure made
in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. There is no compliance of Section 100 of Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 766 of 2023.

(Rudra Prakash Mishra, J)

Nilmani/-

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