

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18015 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- HALSI District- Lakhisarai

Chhotelal Manjhi @ Chhote Manjhi S/o Late Kamal Manjhi R/o Vill -
Bahchha, P.S. - Halsi, Dist. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Halsi P.S. Case No.195 of 2023 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 20 litre of
illicit liquor from house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner was not arrest
on spot. It is submitted that recovery of alleged illicit liquor was
not made from physical possession of the petitioner and



petitioner has no knowledge about the alleged liquors which was kept inside this house and he has not concern with the alleged recovery. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is in custody since 28.08.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and period of custody, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Halsi P.S. Case No.195 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV-cum-Special Excise Court 1st Lakhisarai.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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