

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19841 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- KHAIRA District- Saran

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Laxman Manjhi @ Laxuman Manjhi S/o Chandrma Manjhi R/o Village
Chakasaraf, P.S. - Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

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

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Khaira P.S. Case No.
176 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 22 liters
liquor was recovered from behind the house of the petitioner
and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating
material has been recovered from the conscious possession of
the petitioner. The petitioner has got no concern with the alleged



recovery of liquor. It is further submitted that the alleged recovery has been made from behind the house of the petitioner, which is an open place. The petitioner is in custody since 15.05.2023 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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

7. Let the petitioner be released 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 Court below/concerned Court in connection with Khaira P.S. Case No. 176 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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