

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20954 of 2024

Arising Out of PS. Case No.-492 Year-2023 Thana- SIRDALA District- Nawada

Naresh Manjhi @ Naresh Bhuiyan, S/o Hemraj Manjhi Resident Of Village -
Kewal, P.S. - Sirdalla, District - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) (c) and 41 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and the allegation is
of recovery of 250 litres of liquor along with 1400 litres of
fermented jawa mahua from a place near Bahuara forest.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even alleged
recovery is from a place, which is accessible to public at large
and does not belong to the petitioner and he came to be



implicated at the instance of Chaukidar. In most of the cases, innocent persons are being implicated by the police either at the instance of Chaukidar or local people. It is thus submitted that if the Chaukidar was aware that the petitioner was aware about the involvement of the petitioner in the occurrence, why he did not inform the police earlier, which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1st, Nawada in connection with Sirdala P. S. Case No.492 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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