

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26369 of 2024

Arising Out of PS. Case No.-615 Year-2023 Thana- MASHRAK District- Saran

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RANJAN KUMAR MANJHI @ RANJAN MANJHI S/O KHUSHI MANJHI
R/O VILLAGE- GANGAULI, P.S- MASHRAK (MASHRAKH), DISTT.-
SARAN AT CHAPRA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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

ORAL ORDER

- 3 03-04-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Mashrak
(Mashrakh) P.S. Case No. 615 of 2023 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 1225
litres of spirit has been recovered from the field of co-accused
Ranjan Kumar Manjhi.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from the open field. Learned counsel further submitted that though the field from which the recovery has been made belongs to petitioner but the same is accessible to local public. The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted bail by this Court vide order dated 11.03.2024 passed in Cr. Misc. No. 17576 of 2024. The petitioner is in custody since 02.03.2024 and has one criminal antecedent. There is no compliance of Section 100 of the 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, claim based on parity 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrak (Mashrakh) P.S. Case No. 615 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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