

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35558 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- DANAPUR District- Patna

Munna Manjhi, aged about 20 years, Son Of Late Mina Manjhi At Present R/O Saguna More Mushari Sabzi Mandi, Ward No. 11, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 21-05-2024

Heard learned counsel appearing on

behalf of the parties.

2. The petitioner seeks bail in connection with Danapur P.S. Case No.172 of 2024 (corresponding to the Special Excise Case No. 631 of 2024) registered for the offence under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of total 218 litre of illicit liquor from possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery



of alleged illicit liquor was not made from conscious physical possession of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. He next submits that ten similarly situated co-accused person has already been granted regular bail by this Court vide order dated 23.04.2024 passed in Cr. Misc. No 31163 of 2024. It is further submitted that petitioner is in custody since 21.02.2024.

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, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Danapur P.S. Case No.172 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna.

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)

Nilmani/-

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