

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38901 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MANJHAGARH District- Gopalganj

Manish Kumar Sahani @ Manish Sahani S/o Ramashrey sahani R/o Village-
Mungaraha, Janki Rai Ke Tola, P.S.- Manjhagarh, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Manjhagarh P.S. Case No. 78 of 2024 dated 10.03.2024 registered for the offences punishable u/ss 25(1-B)(a) and 26 of the Arms Act and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, illegal country made pistol was recovered from the possession of the petitioner and total 101.360 litres of illicit country made and foreign liquor was recovered from the bush.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the seized country made pistol does not belong to the petitioner. Nothing has been



recovered from the conscious possession of the petitioner rather the recovery of the said country made liquor has been made from the bush which is an open place and accessible to anyone. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 10.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Manjhagarh P.S. Case No. 78 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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