

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41111 of 2024

Arising Out of PS. Case No.-381 Year-2021 Thana- CHIRAIYA District- East Champaran

LAXMI MANJHI S/O JIYALAL MANJHI @ RAMLAL MANJHI R/O
VILLAGE- RAMPUR MUSHAHARE TOLA, P.S- CHIRAIYA, DISTT.-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate
Mr. Hemant Ray, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2.The accused/petitioner seeks bail in

connection with Chiraiya P.S. Case No.381 of 2021

registered for the offences punishable under Sections

272 and 273 and Section 30(a) of the Bihar Prohibition

and Excise Act.

3. The accused/petitioner named in the FIR

and is in custody since 22.03.2024.

4. Allegation against the petitioner is to have in

involved in trade of illicit liquor and there is recovery of



total 50 litres of illicit liquor from the house of the petitioner.

5. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. It is submitted that the recovery of illicit liquor was made from the house of the petitioner, which is occupied by other family members. It is submitted that the seizure list also appears doubtful being not supported by independent witness despite of availability. While concluding argument, it is submitted that petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical



possession of this petitioner, who is a man of clean antecedent, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.03.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, East Champaran, Motihari in connection with Chiraiya P.S. Case No.381 of 2021 subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J)

mdrashid/-

U		T	
---	--	---	--

