

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65007 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- MANER District- Patna

Sukhal Manjhi, aged 50 years, Male, Son of Late Bulkan Manjhi, Resident of Village- Chitnawan Mushahri, Near Bari Pool, P.S- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-09-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Maner P.S. Case No. 405 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 50 liters of illicit country made liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of suspicion. He further submits that the petitioner has neither



arrested at the spot nor anything has been recovered from his conscious possession. He next submits that there is no any independent witness of the seizure list. Petitioner is in custody since 30.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Special Excise Judge, Danapur dated 07.08.2024, it appears that the illicit liquor has been recovered from the house of the petitioner and there is no any independent witness of the seizure list and the said recovery is not from the possession of the petitioner as stated in para 6 of the petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur, Patna / Court concerned in connection with Maner P.S. Case No. 405 of 2023.

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 petitioner shall be released on



bail on above conditions and he shall be present physically on
each and every date before the Trial Court till conclusion of the
proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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