

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77910 of 2024

Arising Out of PS. Case No.-302 Year-2021 Thana- GAURICHAK District- Patna

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Lagan Manjhi @ Ram Lagan Manjhi @ Ramlagan Manjhi S/O Late Suresh Manjhi Resident Of Village - Lakhna Mushahri, Police Station- Gaurichak, District - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Gaurichak P.S. Case No. 302 of 2021 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 30 litres of illicit country-made liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to village politics as well as on the basis of suspicion. The petitioner was not present at the place of occurrence and nothing



incriminating has been recovered from his conscious possession. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and, in all of them, he is on bail and is languishing in judicial custody since 28.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Gaurichak P.S. Case No. 302 of 2021.

(Rudra Prakash Mishra, J)

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