

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79303 of 2024

Arising Out of PS. Case No.-964 Year-2024 Thana- DANAPUR District- Patna

Ganesh Kumar @ Ganesh Manjhi Son of Sanjay Manjhi Resident of Ashopur
Near Bijli Office, Ward No.1, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-11-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Excise Case No. 3402 of 2024, arising out of Danapur P.S. Case
No. 964 of 2024 instituted for the offences punishable under
Sections 30(a), 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 85 litres
of liquor has been recovered from plastic bag.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from the open place. The petitioner has got no concern with the



alleged recovery of liquor. The petitioner is in custody since 30.09.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Danapur P.S. Case No. 964 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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