

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80611 of 2024

Arising Out of PS. Case No.-510 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Manjay Ram S/o Baban Ram Resident of village- Khalisha, PS-
Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 13-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Udwanthnagar P.S. Case No. 510 of 2023 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 11.12.2023.

3. Recovery of 57 litre of illicit liquor from the house of petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern either with the seized illicit liquor or with the other co-accused person. Neither he was apprehended on the spot not anything incriminating has been recovered from his conscious possession. The name of the



petitioner has sprung in this case on the basis of disclosure of *Mahal Chowkidar*. Proper procedure of search and seizure has not been followed in this case as there is no independent witness of the alleged seizure. It is further submitted that petitioner is ready to deposit any reasonable cost/fine before furnishing his bail bond.

5. Learned A.P.P for the State has vehemently opposed the prayer of bail and submitted that illicit liquor has been recovered from the house of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the of the case as stated above, this court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Udwantnagar P.S. Case No. 510 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. II, Bhojpur at Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The petitioner is directed to deposit a sum of Rs. 10,000/- (Rupees ten thousand) in the concerned District Legal



Services Authority.

8. The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 10,000/- (Rupees ten thousand) in District Legal Services Authority of concerned District.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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