

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80030 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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Surendra Manjhi @ Surendra Kumar Son of Rajendra Manjhi Resident of
village- Dhangad Toli, P.S.-Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Govindganj (Malahi) P.S. Case No. 158 of 2024 for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The allegation is of recovery of 6 litres of country
made liquor from the back side of the house of the petitioner
and 4 litres from the hut of Mukesh Manjhi.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has
falsely been implicated in this case. The petitioner has no
concern either with the seized liquor or with manufacturing of
liquor or its trade in any manner. The place of recovery is open



place which is accessible to anyone. Petitioner is in custody since 23.09.2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the aforementioned facts and circumstances of the case and the fact that the place of recovery is open place which is accessible to anyone, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Motihari, East Champaran in connection with Govindganj (Malahi) P.S. Case No. 158 of 2024, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) **The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.**

7. The bail application stands disposed of.

(Purnendu Singh, J)

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