

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13331 of 2025

Arising Out of PS. Case No.-91 Year-2022 Thana- BAHADURPUR District- Patna

Shambhu Manjhi, Son of Lagan Manjhi, Mohalla- Bahadurpur Musahari,
P.S.- Bahadurpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Binay Kumar Singh, Advocate.
For the State : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bahadurpur P.S. Case No.91 of 2022, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 80 liters of liquor has been recovered from the Road side of a garbage dump.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that search and seizure has not been made as per the procedure as prescribed under Section 100 Cr.PC. He also submits that



similarly situated co-accused Laxman Manjhi has been enlarged on regular bail by this Court vide order dated 25.02.2023 passed in Cr. Misc. 72869 of 2022.

5. He further submits that the petitioner has been languishing in jail since 22.09.2024.

6. It has also been stated in paragraph No. 3 of the bail petition that the petitioner has earlier been made accused in nineteen other cases.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the present case.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City, Patna, in connection with Bahadurpur P.S. Case No.91 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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