

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35608 of 2025

Arising Out of PS. Case No.-333 Year-2021 Thana- AGAMKUAN District- Patna

Shrawan Manjhi @ Shravan Kumar @ Sarwan Manjhi S/o Rajendra Manjhi
Resident of village- Jiaulhaque Colony @ Jajiul Colony, Ps- Agamkuan,
Distt.- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-06-2025 Heard Mr. Manish Kumar No. 2, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with
Special Case No. 2916 of 2021 arising out of Agamkuan P.S.
Case No. 333 of 2021 for the offence punishable under sections
30(a) and 36 of the Bihar Prohibition and Excise Act lodged on
13.04.2021 by the informant, Mukesh Kumar Dubey.

3. As per the prosecution story, the informant alleged
that while patrolling, it conducted raid and recovered/seized 20
liters of country-made liquor from ten gallons with 100 Kg
soaked *mahua* flower dug in the ground. This led to the FIR.

4. Earlier, the petitioner moved before this Court in
Cr. Misc. No. 82684 of 2024 which came to be rejected on



03.12.2024. This is the second attempt.

5. Learned counsel for the petitioner submits that he has already suffered due to his criminal antecedent by being in custody since 05.08.2024 and if granted bail, he shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that the petitioner has multiple criminal antecedents.

7. Though the antecedent is there, the fact remains that he has remained in custody since 05.08.2024 and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Court, Excise, Patna City, Patna in connection with Special Case No. 2916 of 2021 arising out of Agamkuan P.S. Case No. 333 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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