

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83469 of 2024

Arising Out of PS. Case No.-852 Year-2021 Thana- AGAMKUAN District- Patna

Shrawan Manjhi @ Shravan Kumar @ Sarwan Manjhi Son of Rajendra Manjhi Resident of Mohalla - Jiaulhaque Colony @ Jajiul Colony, Naya Tola, Police Station - Agamkuan, District - 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. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Special Case No. 5706 of 2021 arising out of Agamkuan PS Case No. 852 of 2021 instituted for the offences under Sections 30(a) & 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 50 liters liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted



that recovery is made from the joint house of the petitioner, where other family members also resides. The petitioner is in custody since 05-08-2024 and has got fifteen criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 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, *after framing of charge, if not already framed*, 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 Special Case No. 5706 of 2021 arising out of Agamkuan PS Case No. 852 of 2021.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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