

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89314 of 2024

Arising Out of PS. Case No.-238 Year-2024 Thana- BAHADURPUR District- Patna

Shambhu Manjhi S/O Lagan Manjhi @ Ram Lagan Manjhi Resident of
mohalla- Bahadurpur, P.S.- Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. N.N. Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-01-2025 Heard Mr. Binay Kumar Singh, learned counsel for
the petitioner and Mr. N.N. Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with
Bahadurpur P.S. Case No. 238 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 20 litres
of liquor has been recovered from rickshaw.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has no concern with the vehicle, he is only the



passenger and he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 05.09.2024 and has seventeen criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Bahadurpur P.S. Case No. 238 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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