

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88177 of 2024

Arising Out of PS. Case No.-436 Year-2020 Thana- GAURICHAK District- Patna

1. Ashok Manjhi Son of Sakaldev Manjhi @ Sakaldip Manjhi Resident of Village - Mustafapur, P.S. - Gaurichak, District - Patna
2. Laldev Manjhi Son of Rambali Manjhi Resident of Village - Mustafapur, P.S. - Gaurichak, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Prasad, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Gaurichak P.S. Case No. 436 of 2020, instituted for the offences punishable under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 65 liters liquor was recovered from gallons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners further submits that the petitioners are not named in the FIR. Name of the petitioners have transpired in this case on the basis of confessional statement made by co-accused Ajay Kumar Bhagat and the same has got no evidentiary value. The petitioners are in custody since 19.10.2024. Petitioner no. 1 has got no criminal antecedent, whereas petitioner no. 2 has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gaurichak P.S. Case No. 436 of 2020.

(Rudra Prakash Mishra, J)

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