

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25712 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -SHERGHATI District- GAYA

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Ram Janam Manjhi , son of Late Taiya Manjhi , resident of village -
Piparghatti, P.S. - Dobhi, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2017 Heard Sri Prithvi Raj Singh, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in Sherghati
(Dobhi) P.S. Case No. 134 of 2017, registered for the offence
under Section 272, 273 of the Indian Penal Code, 1860 and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016 has
prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that neither petitioner was arrested nor any thing was recovered. It
was submitted that petitioner has falsely been implicated in the
present case on accusation that after arrival of police party
petitioner fled away. Thereafter, a raid was conducted in his house
from where about 40 liters of Mahua liquor was recovered besides



Mahua flower. However, learned counsel for the petitioner has referred to seizure list , which is at page no. 11 and enclosure of the F.I.R. to show that had it been a case of recovery from the house of the petitioner, there would have been a separate seizure list , whereas in the seizure list it has been indicated as if from two places i.e. from the house of petitioner and one Sonwa Devi recovery was effected. According to learned counsel for the petitioner in village rivalry on the basis of confessional statement of one of the co -accused namely Sonwa Devi, who was apprehended , the petitioner has been made accused.

Considering the material against the petitioner and nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Ram Janam Manjhi be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya / concerned court in connection with Sherghati (Dobhi) P.S. Case No. 134 of 2017 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

(Rakesh Kumar, J)

Praful/-

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