

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59995 of 2017

Arising Out of PS.Case No. -566 Year- 2017 Thana -BODHGAYA District- GAYA

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1. Rajesh Manjhi S/o Late Lala Manjhi, R/o Village- Jani Bigha Bhuin Toli,
P.S.- Bodh Gaya, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 30 litres of wine
is recovered from the joint house of petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The name
of the petitioner has come merely on the basis of suspicion.
Except for this, there is no other substantive evidence to suggest
the implication of the petitioner in this case. It is alleged that 30



litres of wine is recovered from the joint house of the petitioner, where other family members also reside. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of section 100 Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Bodhgaya P.S. Case No. 566/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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