

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25045 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Jitendra Manjhi @ Sonu Kumar, Son of Shri Shyam Bihari Manjhi,
Resident of Samlong, P.S. Namkum, District- Ranchi, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 30-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted for the offences under Sections 272, 273, 120B of the Indian Penal Code and Sections 30(a), 32(2), 38 and 47 of the Bihar Prohibition & Excise Act, 2016.

On the self statement of the Assistant Sub-Inspector of Police, Barachatti, a case was instituted on the direction of the S.H.O. Barachatti. He along with other police officials formed a raiding team and proceeded to conduct raid. He saw a Scorpio vehicle coming from Jharkhand. The vehicle was intercepted, driver tried to escape down from there. The arrested person disclosed his name as Saurav Swaroop, district



Ranchi. Vehicle was searched and from vehicle 35 cases of foreign liquor of various brands was recovered. A mobile was also recovered from the possession of Saurav Swaroop which was kept in the vehicle. He has stated that he regularly used to bring liquor from Jharkhand and sell it in Bihar. He has further stated that syndicate has been created in which members are Sujit Sagar, Ajit Kothari, Anup Chawla and Sunil Sahu and other unknown syndicate members, along with godown staff, namely, Sonu Kumar and Amarjeet Kumar Chauhan He used to purchase liquor from the godown and along with his business partner Sudhir Kumar used to bring liquor from Jharkhand and sell it to one Kallu Archan.

Learned counsel for the petitioner submits that present petitioner has nothing to do with the sale and purchase of liquor and having no nexus with the present transaction with the sale of the liquor but after purchase Saurav Swaroop and Sudhir Kumar used to store the liquor in godown and whenever there is demand both of them used to sell the liquor in the State of Bihar.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Jitendra Manjhi alias Sonu Kumar, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachatti P.S. Case No.23 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioner will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

(Shivaji Pandey, J)

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