

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9338 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -CHAKAND District- GAYA

=====

Sanju Manjhi, S/o Late Sehman Manjhi, Resident of Village- Shekhpura,
P.S.- Vishwa Vidyalaya, Bodh Gaya, District- Gaya. at present resident of
Village- Gannu Bigha, P.S.- Chakand, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Smt. Sahin Begam

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Chakand P.S. Case No. 126 of 2017 registered for
the offence punishable under Section 30(a) of the Bihar Excise
Act, 2016.

The allegation is regarding recovery of 15 liters of illicit
Mahua wine from the house of the petitioner.

The learned counsel for the petitioner submits that neither
any recovery has been made from the conscious possession of the
petitioner nor the provisions of Section 100 Cr.P.C. has been
complied with while seizing the articles. It is submitted that
barring one case of similar nature in which the petitioner is on



bail, the petitioner is having a clean antecedent.

Considering the nature of accusation and the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order 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 in connection with Chakand P.S. Case No. 126 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that in case the petitioner is implicated henceforth, in any similar type of case, the present privilege of bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

