

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24698 of 2018

Arising Out of PS.Case No. -41 Year- 2018 Thana -PARSA District- SARAN

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1. Vijay Manjhi @ Dudhnath Manjhi son of late Baidhnath Manjhi @ Baijnath resident of village Banauta, P.S. Parsa, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 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 Parsa PS case no. 41 of 2018 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 5 ltrs. of illicit liquor from the open road.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the provision of Section 100 of Code of Criminal Procedure has been complied while preparing seizure list, hence the entire seizure stands vitiated.



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 appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of 6th Additional District Judge Saran at Chapra in connection with Parsa PS case no. 41 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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