

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11757 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -MARHAURA District- SARAN

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Jai Mangal Manjhi, Son of Late Ram Ekbal Manjhi, Resident of Village-
Semrahiya, Police Station- Marhowrah, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Marhowrah PS case no. 12 of 2018 registered for the
offences punishable under Sections 30(a)/38 of the Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of 630 liters of
spirit from an open space on the side of Gandak canal near State
Boring.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner. It is further submitted that the provision of Section 100
Cr. P. C. has not been complied with, hence the seizure itself is



doubtful and the petitioner is having a fair antecedent.

Considering the nature of accusation levelled against the petitioner herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 7th -cum- Special Judge, Excise Act, Saran at Chapra in connection with Marhowrah PS case no. 12 of 2018, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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