

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7990 of 2019

Arising Out of PS. Case No.-439 Year-2018 Thana- BANIAPUR District- Saran

Nand Lal Manjhi, aged about 40 years, Male, Son of Dukhan Manjhi Resident
of Village - Ghoshwel Manjhi Tola, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 13-02-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Baniyapur P.S. Case No. 439 of 2018 registered for offences under sections 147, 148, 149, 353, 504 of the Indian Penal Code and Section 39(a)/37(D) of the Bihar Prohibition and Excise Act.

As per allegation, the police has recovered 10 liters of country made liquor from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not there in his house and wrongly he has been implicated in the present case. He further submits that the petitioner has got no criminal antecedent.

Looking to the quantity of liquor recovered as also the entire facts and circumstances of the case, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-6th, Saran at Chapra in connection with Baniyapur P.S. Case No. 439 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 8.2.2019, then he would not be released.

(Shivaji Pandey, J)

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