

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41066 of 2019

Arising Out of PS. Case No.-341 Year-2016 Thana- NAWADA District- Nawada

CHHOTU MANJHI @ CHHOTE MANJHI Son of Aitwari Manjhi Resident
of Village - Line Par, Mirajapur Mushar Toli, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2019 This application, for grant of anticipatory bail, arises out of Nawada P.S. Case No. 341/2016, disclosing offences under Sections 47(c)(d) of the Excise Act and Section 272 and 273 of the Indian Penal Code.

Allegation as per F.I.R. that the police on information that several persons are preparing illicit liquor to sell it, on which, the police went to the place of occurrence and the house of this petitioner and others were searched and total 100 litres of illicit liquor as well as the apparatus for preparing the liquor were recovered. It further appears that the case is of the year 2016.

Submission of learned counsel for the petitioner is that as he was out of the town for earning his livelihood, he could not about the case. Further submission is that he has no



criminal antecedent and has falsely been implicated in this case and the house from where, recovery was made is a joint house.

Learned counsel for the State opposed the prayer for bail and submitted that *prima facie* case is made out against the petitioner.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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