

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44698 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- GHOSI District- Jehanabad

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TANI MANJHI S/o Balak Manjhi R/o village- Ismailpur, P.S.- Ghosi,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2019 The petitioner apprehends his arrest in connection with

Excise Case No. 129 of 2019 arising out of Ghosi P.S.Case No.

31 of 2019 registered under Section 30(a) of the Bihar

Prohibition and Excise Act (hereinafter referred to as the Act).

Allegation against the petitioner is that police conducted

raid in the house of the petitioner from where the police

recovered 07 litres illicit Mahua liquor.

Learned counsel for the petitioner submits that petitioner

is innocent and the house from where the illicit liquor has been

recovered belongs to joint family. He further submits that

petitioner has got no criminal antecedent.

After having heard learned counsel for the parties and

taking into consideration the fact that illicit liquor has been

recovered from the house of the petitioner and upon perusal of



the FIR and seizure list a *prima facie* case under the Act is made out against the petitioner. Therefore, in view of the Full Bench judgment passed in Cr. Appeal (SJ) No. 431 of 2019, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner as such the same is rejected.

However, in case, petitioner surrenders before the court below within a period of 15 days and files application for regular bail, the same shall be considered on the same day without being prejudiced to the fact that present application has been dismissed by this Court.

(Anil Kumar Sinha, J)

sujit/-

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