

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71294 of 2019

Arising Out of PS. Case No.-255 Year-2017 Thana- WARISLIGANJ District- Nawada

SURESH MANJHI S/o Birju Manjhi R/o village- Mahadev Bigaha, Thera,
P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan, Adv

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehend his arrest in connection with
Warisaliganj P.S. case No. 255 of 2017 instituted for the
offence under Section(s) 272,273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The recovery of 10 liters of country made liquor, as per
submissions of the petitioner's counsel, is from outside the
petitioner's house. The petitioner is having no criminal
antecedents and by no stretch of imagination the case under the
Bihar Prohibition and Excise Act, in the circumstances, can be
made out against the petitioner. The other co-accused persons,
namely, Karan Manjhi and Raghunath Chouhan @ Raghunath
Manjhi have also been allowed anticipatory bail in Cr. Misc.



No.20752 of 2018.

The learned APP for the State has opposed the prayer for anticipatory bail referring to the provisions contained in Section 76(2) of the Bihar Prohibition and Excise Act.

For the limited purpose of grant of bail, this Court is inclined to accept the submissions of counsel for the petitioner.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **A.D.J.II- cum-Special judge, Nawada** in connection with **Warisaliganj P.S. case No. 255 of 2017**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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