

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11817 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- MANJHAGARH District- Gopalganj

Hari Shankar Manjhi Son of Uma Manjhi Resident of Village - Maisahi
Dusadh Tola, P.S.- Manjhagarh, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-06-2020 Heard learned counsel for the petitioner and learned counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Manjhagarh P.S. Case no. 7 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the informant that on secret information having been received a raid was conducted and while one person managed to escape, on search 19.80 liters of IMFL was recovered from the Bathan of the petitioner. It is further stated that it also transpired that the person who had escaped was the petitioner.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the FIR are false and concocted. Neither any incriminating article has been recovered from the land of the petitioner as described in the FIR nor was it the petitioner who escaped. The petitioner has been falsely implicated and it is for this reason that the FIR does not even disclose the name of the person who identified the petitioner as



the person who escaped. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Manjhagarh P.S. Case no. 7 of 2020 will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

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