

**THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.18459 of 2020**

Vijay Manjhi @ Vijay Kumar (M) aged about 30 years son of Vineshar Manjhi  
resident of village-Shanti Nagar, P.S.-Khijarsarai, District-Gaya

.....

Petitioner

Versus

The State of Bihar

.....

Opposite party

**Appearance**

For the Petitioner : Mr. Prithivi Raj Singh, Advocate

For the State : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL ORDER**

2      17.07.2020

Heard learned counsel for the petitioner and learned A.P.P  
for the State through video conferencing.

The instant application for anticipatory bail has been filed  
by the petitioner apprehending his arrest in connection with  
Khajarsarai P.S. Case No.34 of 2020, registered under section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on secret information  
having been received, a raid was conducted on the house of the  
petitioner and it is stated that 25 litres of Mahua liquor was  
recovered from the 'Aangan' of the 'Khapraposh' house of the  
petitioner.

It is submitted by learned counsel for the petitioner that  
the petitioner has no criminal antecedent. No incriminating



article has been recovered from his possession. It is further submitted that the alleged place of recovery which has been wrongly described as *Aangan* is an open place accessible to all and it cannot be said to be under the exclusive control of the petitioner.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, this Court is inclined to enlarge the petitioner on 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 Khajarsarai P.S. Case No.34 of 2020, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

**(Partha Sarthy, J)**

**Bibhash**

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