

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16316 of 2020**

Arising Out of PS. Case No.-43 Year-2020 Thana- BARACHATTI District- Gaya

UDHES MANJHI @ UDESH MANJHI Son of Late Genda Manjhi Resident
of Village - Ghirsindi, P.S.- Barachatti, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Barachatti P.S. Case No. 43 of 2020
registered for the offence punishable under Section 30(a)/30(d) of
Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. There is no
independent witness to the seizure of alleged illicit liquor and
similarly situated co-accused Nagava Choudhary @ Rajesh
Choudhary has been granted privilege of anticipatory bail by a
learned co-ordinate Bench of this Court yesterday in Cr. Misc.
No. 14844 of 2029 and the petitioner has no criminal
antecedent.



Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no independent seizure list witness in this case and only the two Home Guards have been made witnesses and further submission that the similarly situated co-accused Nagava Choudhary @ Rajesh Choudhary has been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court only yesterday in Cr. Misc. No. 14844 of 2020 as also that the petitioner has got no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Barachatti P.S. Case No. 43 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

