

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26333 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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DILIP MANJHI @ DILIP KUMAR MANJHI Son of Padarath Manjhi
@ Ram Padarth Manjhi Resident of Village- Ahiyapur, Musahari, P.S. and
District- Seikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-12-2020 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and Mrs. Sharda Kumari, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with
Excise Case No. 57/2020 registered for the offence punishable
under Sections 30(a), 37 (b), 45 and 52 of Bihar Prohibition and
Excise Act, 2016.

3. The allegation, as per prosecution case, is that on
the basis of secret information the Excise Officials raided in the
village, Ahiyapur, Musahri and arrested two persons and from
their possession 30 litres and 15 litres of country made illicit
liquor has been recovered. It has further been alleged that the
arrested accused persons raised alarm, upon which, petitioner
and another accused, Dhaknu Devi, who were assisting in the



sale of liquor, tried to get the arrested accused free from the custody of the police and when they did not succeed in the same, the petitioner along with others damaged the vehicle of the police.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence under the Excise Act and no illicit liquor has been recovered from his possession. Learned counsel further submits that the offence under IPC has not been included in the prosecution report against the petitioner and only allegation against the petitioner is that he along with others tried to get the arrested accused persons free from the custody of the police.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioner and petitioner has got no criminal antecedents, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, DILIP MANJHI @ DILIP KUMAR MANJHI shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, 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, Sheikhpura in connection with Excise Case No. 57/2020, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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