

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28978 of 2020

Arising Out of PS. Case No.-484 Year-2019 Thana- RUPASPUR District- Patna

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TUSI MANJHI @ RAMESH MANJHI Son of Late Munna Manjhi Resident
of Sewari Nagar, P.S.- Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arwind Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard Mr. Arwind Kumar, learned counsel for the

petitioner and Mr. Kumar Virendra Narayan, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner apprehends arrest in connection with

Rupaspur P.S. Case No. 484 of 2019 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

The allegation as per the First Information Report is

that 80 litres of illicit Mahua liquor has been recovered from the

house of the petitioner.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case with oblique

motive and he has not committed any offence in the manner



alleged. Learned counsel further submits that petitioner has got no criminal antecedent and at the time of search and seizure the procedure prescribed under Section 100 Cr. P.C. has not been followed by the Police.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the illicit liquor has been recovered from the house of the petitioner, accordingly, in view of full Bench Judgment of this Court **reported in 2019 (2) PLJR 1089**, I am not inclined to exercise my discretion for grant of anticipatory bail to the petitioner.

As such, the prayer for anticipatory bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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