

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85784 of 2019**

Arising Out of PS. Case No.-623 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Rajesh Manjhi Son of Rajendra Manjhi Resident of Village - Jamhaita, P.S.-
Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

Mr. Bahzad Akhtar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Fatehpur Excise P.S. Case No. 623 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner is that the excise officer on secret information raided the house of the petitioner and other and recovered a total quantity of 20 liters of country made liquor from bushes near the house of the petitioner and other.

Learned counsel appearing on behalf of petitioner submits that petitioner has falsely been implicated in this case inasmuch from perusal of the prosecution report the liquor has



been recovered from the bush and not from the conscious possession of the petitioner. Petitioner has got no criminal antecedent. Learned counsel for the petitioner relying upon Annexure-2 submits that similarly situated accused person Binda Manjhi has been granted anticipatory bail by co-ordinate Bench of this Court in Cr. Misc. No. 74300 of 2019 vide order dated 11.12.2019.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or the premises belonging to the petitioner and similarly situated accused person Binda Manjhi has been granted anticipatory bail by co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks days from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Fatehpur Excise P.S. Case No. 623 of 2019, subject to the



conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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