

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28219 of 2021**

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHESI District- East Champaran

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Raju Manjhi Son Of Baleshwar Manjhi Resident of village - Katahan Nankar,
P.S.- Mahesi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-02-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 37(a)(b)(c)(d), 30(a), 38, 45 of the Bihar Prohibition & Excise Act.

The prosecution case as per F.I.R is that the



police apprehended some of the accused persons in drunken condition and on the identification of the accused persons raided the house of Nathu Manjhi and recovered ten litres of illicit country made liquor. It is alleged against the petitioner and eleven other accused persons that they obstructed the police personnel in discharging of their official duties and tried to release the apprehended accused persons from the police custody.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the apprehended accused persons. Moreover, other similarly situated co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 13.09.2018 passed in Cr. Misc. No. 58889 of 2018. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Considering the aforestated facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, East Champaran at Motihari in connection with Mahesi P.S. Case No. 33 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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