

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23674 of 2022

Arising Out of PS. Case No.-271 Year-2019 Thana- SAHPUR District- Patna

RAMPRAVESH MANJHI S/o Vifan Manjhi Resident of Village- Shivala
Muahari, P.S.- Shahpur, Dist- Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Shivganga Kumar Gupta, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Shahpur P.S. Case No. 271 of 2019 (Special Case No. 6024 of 2019) registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 40 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the



present case. It is alleged that 40 litres wine is recovered from an open field in an abandoned state. The name of the petitioner has transpired in this case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari vs State of Bihar).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Danapur in connection with Shahpur P.S. Case No. 271 of 2019 (Special Case No. 6024 of



2019), subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

