

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53978 of 2021

Arising Out of PS. Case No.-260 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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MAHATAM MANJHI Son of Late Saghan Manjhi Resident of Village-
Pakwaliya, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Senior Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Excise Case
No. C-III-260/21, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that there is
no recovery from the conscious possession of the petitioner
rather 184.515 litres of foreign liquor has been recovered from a
Bhusaul, which was situated outside of the house of the
petitioner. It is further submitted that the petitioner has got no
criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for
anticipatory bail of the petitioner.



Petitioner is ready to deposit a sum of Rs.1,00,000/- (rupees one lakh) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd-cum-Special Judge, Siwan in connection with Excise Case No. C-III-260/21, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bond.



(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.1,00,000/- (rupees one lakh) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

(Anjani Kumar Sharan, J.)

Sanjay/-

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