

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53340 of 2021**

Arising Out of PS. Case No.-211 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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DEVENDRA MANJHI, Son of Late Vishundev Manjhi Resident of Village-
Nijampur, P.S.- Sarai O.P., District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 18-02-2022 Heard both the parties through through Video
Conferencing.

The petitioner seeks bail in anticipation of his arrest in
connection with C-III No. 211 of 2021, instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Learned counsel for the petitioner submits that 7 litres
of illicit liquor has been recovered from the bathroom near the
house of the petitioner, however, learned counsel submits that
the recovery has not been made from conscious possession and
petitioner has falsely been implicated. Thus, Section 30(a) of
the Excise Act would, therefore, not lie as against the petitioner.
I have considered the submission.



Taking into consideration the aforesaid facts, I am inclined to grant benefit of anticipatory bail to the petitioner and in the event of arrest, he shall be released on bail subject to the conditions, as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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