

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45758 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- BANIAPUR District- Saran

Chandeshwar Manjhi Son of Arjun Manjhi Resident of Village -
Makhdumganj, P.S.- Chapra Muffasil, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Baniyapur P.S. Case no. 126 of 2022 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of 40 liters
country made liquor in a bag from a motorcycle bearing Reg.
No. BR04AK-6729.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. It is further
submitted that the said motorcycle was registered on the name



of petitioner but he gifted to one Neha Kumar. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that the said motorcycle is registered on the name of petitioner.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Baniyapur P.S. Case no. 126 of 2022, he will be enlarged on 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 Additional District and Sessions Judge II, cum 1st Executive Excise Court, Saran at Chapra subject to the conditions as laid down under section 438(2) of



the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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