

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70306 of 2022

Arising Out of PS. Case No.-307 Year-2017 Thana- FATEHPUR District- Gaya

SIBU MANJHI Son of Charitar Manjhi Resident of Village- Kathiaundh,
P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of liquor as detailed in the F.I.R.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that his name transpired in the confessional statement of Sukhdeo Choudhary, Karu Manjhi and Usman Gaji. It is also submitted that the alleged seized motorcycle does not belong to



the petitioner and admittedly the petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatehpur P.S. Case No. 307 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting the bail bonds of the petitioner shall verify the ownership of the alleged motorcycle which was seized and in the event if it is found that any of the seized motorcycle belongs to the petitioner then the present anticipatory bail order shall not be acted upon.

The learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has criminal antecedent



of even a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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