

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70926 of 2022

Arising Out of PS. Case No.-501 Year-2022 Thana- WARISLIGANJ District- Nawada

ASHOK MANJHI Son of Moti Manjhi Resident of village - Pavipur, P.S.-
Warisaliganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 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 14 litres of liquor along with 800 litres of semi-prepared country-made liquor from the house of petitioner, further said semi-prepared liquor were destroyed and thereafter liquors were recovered from the houses of various other accused, as detailed in the FIR.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that from perusal of the FIR, it would manifest that the informant alleges with recovery was in the house of the petitioner, but from perusal of the seizure list it would manifest that the recovery was from the under-constructed house of the petitioner which creates doubt with regard to the veracity of allegation and as to whether the alleged recovery was made in the manner, as alleged in the FIR, it is also submitted that the house in which the petitioner live is a joint family property, as has been pleaded in Para-9.

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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Warisaliganj P.S. Case No. 501 of 2022 subject to the conditions as laid down



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

Learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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