

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9880 of 2023

Arising Out of PS. Case No.-685 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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NARESH MANJHI S/O MAHENDRA MANJHI R/v- Pathkhauliya Kadam
Chauk, P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No.685 of 2022, registered for the offence
punishable under Sections 30(a)(b), 32, 41(i) of the Bihar
Prohibition and Excise Act.

Allegedly 3 litres of country made liquor is said to have
been recovered from the hut of the petitioner, who fled away
from the spot on seeing the police.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has not been apprehended on the spot
nor any incriminating article has been recovered from his



conscious physical possession. He has no concern with the recovery of the illicit liquor or any trade of liquor. It is further submitted that petitioner is not the owner of the said hut, which is an abandoned one. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the recovery has been made from the hut of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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