

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17808 of 2023**

Arising Out of PS. Case No.-928 Year-2022 Thana- JAHANABAD District- Jehanabad

Mithun Manjhi Son Of Gariban R/O Village- Unta Madarpur, P.S. And
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Digvijay Singh, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-05-2023 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 the petitioner has antecedent of seven cases and allegation is of recovery of 15 litres of liquor from a room of the petitioner kept in a gallon.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that though in the FIR it is alleged that the recovery was from the room but then it was joint family property and the



room does not belong to the petitioner exclusively as such it cannot be alleged with certainty that it was the petitioner who had kept the liquor in the room or the liquor was kept in the house within the knowledge of the petitioner. It is next submitted that he came to be implicated because of his antecedents.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jehanabad P.S. Case No. 928 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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