

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30228 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- PARANDABAR District- Nawada

MAHESH MANJHI @ MAHESH BHUIAN S/o- Munshi Manjhi @ Munshi Bhuiya Village- Marhi Kalaunda Ps- Parnadabar Dist- Nawada Presently- Ramraichak Ps- Sirdala Dist-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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 Sections 30(c) and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1000 liters of mahua solution from a kiln found in the forest.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, even the alleged recovery is from a place which is accessible to public at large



and he came to be implicated at the instance of local villagers but then name of the villagers is not recorded in the FIR which casts aspersions on the veracity of the prosecution, when 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 Court below 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 each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parnadabar P.S. Case No. 15 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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