

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38235 of 2023**

Arising Out of PS. Case No.-88 Year-2023 Thana- PIPRAKOTHI District- East Champaran

SHAMBHU MANJHI Son of Late Chander Manjhi Resident of village - Bela  
Tal Mushari Tola, P.S - Piprakothi, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

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

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

2      26-06-2023                      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 272, 273, 308 and 34 of the Indian Penal Code and under Section 30(a), 41(i) 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 40 liters of liquor from a place near a shop, thereafter 40 liters of liquor was also recovered from the backside of the hut of Pawan Sahani and 5 liters of liquor from a place in front of the house of Uday Mukhiya.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was



recovered from his conscious possession and even the alleged recovery is from a place which does not belong to the petitioner, It is next submitted that the petitioner came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value, when admittedly 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) 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 Piprakothi P.S. Case No. 88 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishabh/-

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