

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41278 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- PANAPUR District- Saran

Ajay Manjhi Son Of Tilak Manjhi Resident Of Village- Rasauli, Ps- Panapur,
Distt- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Panapur P.S. Case No. 83 of 2023 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant, who is a S.I. of Police of Panapur, has alleged that while he got secret information that co-accused Shamsheer Ali @ Bhuar is selling liquor, he conducted raid there and apprehended one person who was trying to flee away with a bag, and from whose possession 540 ml. whisky and 15 liters country made liquor was recovered.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused. The liquor has been recovered from the house of the co-accused Shamsher Ali.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused, the liquor has been recovered from the house of the co-accused Shamsher Ali and this petitioner has no criminal antecedent, hence, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran, Chapra in connection with Panapur P.S. Case No. 83 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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