

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43413 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- MANJHAGARH District- Gopalganj

Manish Pasi @ Manish Passi, Son of Late Lalbabu Pasi, Resident of Village-
Purani Bazar (Manjha), P.S.- Manjhagarh, District- Goplaganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Manjhagarh (Manhagarh) P.S. Case No. 181 of 2023 dated 04.06.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, when the informant and other police personnel were on patrolling duty, one person began to flee away on seeing the police party. However, police chased him but the said person managed to flee away. The name of this petitioner came out in the disclosure made by local *chawkidar*. Thereafter, during course of search, total 35.2 litres of illegal liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of this petitioner rather 35.2 litres of foreign liquor is said to have recovered from the place of occurrence. He submits that the allegation against the petitioner is that he managed to run away from the place of occurrence. He submits that the name of this petitioner came out in the disclosure made by local *chawkidar*. He further submits that petitioner has got three criminal antecedents of similar nature as stated in para-3 of the bail application and he has got bail in all the said cases.

4. Petitioner has agreed to deposit a sum of Rs. 40,000.00 (Rupees Forty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstances of the case and the fact that there is no recovery from the conscious possession of this petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond 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 Manjhagarh (Manhagarh) P.S. Case No. 181 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner will not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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