

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50038 of 2023

Arising Out of PS. Case No.-760 Year-2022 Thana- BIHTA District- Patna

Rakesh Manjhi, Male, aged about 36 years, Son of Late Mukesh Manjhi,
Resident of Village- Adilpur, P.S. Bihta (Neora), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bihta (Neora OP) P.S. Case No. 760 of 2022 dated
05.08.2022 instituted under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018

3. As per the prosecution case, there is recovery of 22
liters of country made liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that
nothing has been recovered from the person or possession of the
petitioner. He was neither present on the spot nor arrested by the
police and has no concern with the seized articles. Learned
counsel for the petitioner further submits that the seized articles
has been recovered from the joint family property of Hindu



Undivided family. Petitioner has no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Special Excise Judge, Danapur at Patna in connection with Bihta (Neora OP) P.S. Case No. 760 of 2022, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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