

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62774 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- JALALPUR District- Saran

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NAGI MANJHI @ NAG NARAIN MANJHI, aged about 40 years, Gener-
Male, S/O LATE LALU MANJHI R/O VILLAGE- KOTHEYA, P.S-
JALALPUR, DISTT.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Ajit Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Prem Kumar Jha

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jalalpur P.S. Case No. 146 of 2023 dated 20.06.2023
registered for the offence(s) punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 80 litres of
country made liquor was recovered from the place of occurrence
and one person managed to flee away after seeing the police
party.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in this case merely on the basis of suspicion. It



is further submitted that nothing was recovered from the conscious possession of the petitioner and petitioner has no concern with the seized liquor.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation and also the fact that recovery of the alleged liquor was not made from the possession of the petitioner, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 10 – cum- Special Judge, Excise 2nd, Saran at Chapra in connection with Jalalpur P.S. Case No. 146 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in



paragraph no.3 of the bail application, this order will
automatically loose its force.

(Purnendu Singh, J)

Sanjay/-

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