

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69552 of 2023

Arising Out of PS. Case No.-286 Year-2023 Thana- SIRDALA District- Nawada

Sanjay Manjhi @ Sanjho Manjhi Son of Late Dhanu Manjhi Resident of
Village- Baseriya, P.S.- Sirdala, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sirdala P.S. Case No.286 of 2023 instituted under Sections
30(a), 30(c) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 18
litres country made liquor and 1800 litres soaked sweet *mahua*
solution from Baseriya Forest.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. No recovery has been made from conscious possession of
the petitioner. The alleged recovery has been made from
Baseriya Forest which is a deserted place and accessible to all
and it does not belong to the petitioner. The petitioner has no



criminal antecedent.

5. Learned A.P.P. for the State 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 arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge 1st, Nawada in connection with Sirdala P.S. Case No.286 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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