

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19840 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- KESARIA District- East Champaran

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Brajesh Manjhi @ Brajesh Kumar Son of Shambhu Manjhi Resident of
Village-Khizipura Mushari Tola, P.S.-Keshariya, District-East Champaran,
Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 and 273
of the Indian Penal Code and Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of recovery
of 10 litres liquor along with 200 litres jaggery solution from
chawar of village Khijirpura.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which is accessible to public at large and
does not belong to the petitioner and he came to be implicated at



the instance of *Chowkidar* with whom he is on an inimical term. It is also submitted that in majority of the cases, the police is implicating the accused persons through *Chowkidar* or local people but then submits that if *Chowkidar* was aware of the involvement of the petitioner in the occurrence then why he did not inform the police earlier to institute the FIR which further casts aspersion on the case of the prosecution.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Keshariya P.S. Case No. 29 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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