

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32689 of 2024**

Arising Out of PS. Case No.-216 Year-2022 Thana- BHAGWAN BAZAR District- Saran

VASHISHT KUMAR MANJHI @ BASHISHTH MANJHI SON OF VRIJ MOHAN MANJHI @ BRIJ MOHAN MANJHI RESIDENT OF VILLAGE - BADA BARAHAMPUR, POLICE STATION - BHAGWAN BAZAR CHAPRA, DISTRICT - SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shrinath Manjhi, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      22-05-2024                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bhagwan Bazar P.S. Case No. 216 of 2022 for the offence under sections 30(a) of Bihar Prohibition and Excise Act (A) 2018 lodged on 28.04.2022 by the informant, Pramod Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information, reached the Nayabasti tower, saw the petitioner sitting with liquor in plastic sack. Upon sight of police, the petitioner escaped and there was recovery of altogether 90 liters country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, due



to village enmity, he has been named. Further, he do not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the fact that there is no recovery from his conscious possession and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned 1<sup>st</sup> Exclusive Special Judge, Excise, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 216 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

kiran/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

