

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33264 of 2024

Arising Out of PS. Case No.-213 Year-2022 Thana- BAHADURPUR District- Patna

AAKASH MANJHI @ AAKASH MANJI SON OF LATE SHAMBHU
MANJHI RESIDENT OF MOHALLA - BAHADURPUR MUSAHARI, P.S.
- BAHADURPUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 10-05-2024 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 414 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 144 litres of liquor from
the house of Ram Kaliya Devi.
5. Learned counsel for the petitioner submits that
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 does not belong to the petitioner and
he has no concern or relation with Ram Kaliya Devi. It is further



submitted that petitioner came to be implicated based on the confessional statement of Niraj Kumar in police custody which does not have any evidentiary value in the eye of law.

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

7. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bahadurpur P.S. Case No. 213 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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