

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41826 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Lalan Manjhi Son Of Late Deo Janan Manjhi Resident Of Village - Badlu
Tola, P.S. - Chapra Muffasil, District - Saran At Chapra - 841414

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-07-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 in
connection with Chapra Muffasil P.S. Case No.182 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and allegation is of
recovery of 19 liters of liquor from a wheat field near the house
of Khekhari Rai.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious



possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local villager, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Exclusive Special Excise Court, Saran at Chapra in connection with Chapra Muffasil P.S. Case No.182 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is further made clear that the learned trial court shall also verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, then also the present anticipatory bail order



shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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