

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48299 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- WARISLIGANJ District- Nawada

Suresh Manjhi, Son of Birju Manjhi R/O Vill.- Madhev bigha (Manjhi Tola),
P.S.- Warisaliganj, Dist.- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 02 litres of liquor along with 1500
litres of liquor Mahua solution from a field near the house of the
petitioner.

4. The 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 alleged
recovery is from a field, which does not belong to the petitioner



and is accessible to public at large and he came to be implicated at the instance of Chaukidar. It is next submitted that it appears that the Chaukidar in order to save the real culprit falsely implicated the petitioner, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. Sri Rabindra Kumar 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2nd, Nawada in connection with Warisaliganj P. S. Case No.123 of 2024, P.T.N. 783 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that



event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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