

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54702 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- KOTWALI District- Munger

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Shiva Manjhi Son of Late Jangal Manjhi @ Jangli Manjhi Resident of Bari
Mushari Tola, Police Station - Kotwali, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 06-08-2024 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
Section 30(a) of the Bihar Prohibition and Excise Act in
connection with Kotwali P.S. Case No.154 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 19.5 liters of liquor from hut of the petitioner.

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 hut which does



not belong to the petitioner and he has been implicated in the case by the police in a mechanical manner. It is next submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner, without holding a proper inquiry before instituting the instant FIR. It is also submitted that a specific pleading has been made in the anticipatory bail application that the hut in question does not belong to the petitioner.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II, Excise, Munger in connection with Kotwali P.S. Case No.154 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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