

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56025 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- DORIGANJ District- Saran

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Nagendra Manjhi Son of Ram Kisun Manjhi Resident of Chirand, P.S.-
Doriganj, Distt.- Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Md. Iftekhhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 08-08-2024 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 Doriganj P.S. Case No.106 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 60 liters of liquor from a motorcycle and 8 liters
of liquor from a sack kept behind the house of Ram Kumar Rai.

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



possession and is not the owner of the seized vehicle and has no connection with Ram Kumar Rai and he came to be implicated based on confessional statement of Chandan in police custody which does not have any evidentiary value.

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 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Doriganj P.S. Case No.106 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 ownership of the seized motorcycle and in the event, if it is found that the motorcycle is registered in the name of the petitioner, in that event, the present anticipatory bail order shall not be given effect to, as it has been submitted by the learned



counsel for the petitioner that petitioner is not the owner of the
motorcycle.

(Satyavrat Verma, J)

Prakash Narayan

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