

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62355 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- JALALPUR District- Saran

Ajay Manjhi @ Ajay Kumar Manjhi son of Mudrika Manjhi village- Kahi
Noor Nagar p.s. -Jalalpur District -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2024 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 Jalalpur P.S. Case No.130 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 75 liters of liquor from different places including 35 liters of liquor from orchard 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. It is next submitted that no prudent person would use his own orchard for committing an occurrence and thus would create evidence against himself and hence would get



implicated. It is also submitted that orchard is an open space and is accessible to villager at large, thus it appears that some one inimical to the family planted meagre amount of liquor with a view to implicate the petitioner and his family members. It is also submitted that petitioner came to be implicated at the instance of chowkidar with whom he is on inimical term.

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 Special Judge, IIInd, Saran at Chapra in connection with Jalalpur P.S. Case No.130 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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