

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71588 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- ALIPUR District- Gaya

Jagdish Manjhi S/o Sadhu Manjhi R/o Village- Nimsar Dhibra, P.S.- Alipur,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Alipur P.S. Case No. 146 of 2023 dated 16.10.2023 registered under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act 2018.

3. As per the first information report Police on the basis of confidential information arrived at the house of the petitioner and recovered a total quantity of 05 liters of country made Chulai wine kept in a plastic gallon.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He submits that the petitioner has roped in the present case by the Police at the instance of his enemies. It is submitted that the petitioner was



not apprehended on the spot and no illicit liquor has been recovered from his conscious possession. It is further submitted that the procedures prescribed under Section 100 Cr.P.C. for search and seizure has not been followed. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge, Court No. II, Gaya in connection with Alipur P.S. Case No. 146 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

U		T	
---	--	---	--

