

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76971 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- MANJHI District- Saran

Manoj Sahani @ Manoj Sahni S/O Bihari Sahani R/O Village- Chhotki
Fulwariya, P.S.- Manjhi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Manjhi P.S. Case no.193 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, a raid was conducted. Two accused persons managed to escape. It is further stated that from a small hut, 80 litres of country liquor was recovered. On enquiry, the Choukidar disclosed that the two persons who managed to escape included the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He



has no concern with the seized liquor nor with the hut and the false implication is at the instance of the Choukidar who is on inimical terms to him. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, no incriminating article having been recovered from the petitioner’s possession, the petitioner having no concern with the land on which the hut in question is said to be present from where the illicit liquor was recovered and specially the petitioner not having an antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Manjhi P.S. Case no.193 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran.

(Partha Sarthy, J)

Saurabh/-

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