

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80536 of 2024**

Arising Out of PS. Case No.-115 Year-2022 Thana- PHULWARISHARIF District- Patna

Shailesh Manjhi S/o Late Mandeep Manjhi Resident of Village- Gobindpur  
Laxman Tola, Police station- Phulwarisharif , District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Shanker Pankaj

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      10-12-2024      1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Phulwarisharif Police Station Case No. 115 of 2022, dated 12.02.2022, disclosing offence under Sections 30(a)/30 (c)/32(iii)/36 of the Bihar Prohibition and Excise Act, 2016.
3. The allegation against the petitioner, as per the First Information Report, is that the hut of the petitioner was raided by the police and the police recovered 45 litres of illicit country-made liquor from the said hut of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicate in this case inasmuch



as the hut is situated by the side of the road and the petitioner has no concern with the said hut and he was also not present in the hut at the time of search and seizure.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the hut of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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