

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79493 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- SARAI RANJAN District- Samastipur

Manjay Lal Yadav, aged about 32 years (Male), S/O Late Muni Lal Yadav,
Resident of village- Shatalpatti, P.S.- Sarai Ranjan, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate

For the Opposite Party : Mr. Nagendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sarairanjan P.S. Case No. 127 of 2024 dated 18.09.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 1102.32 litres of illicit foreign liquor was recovered from the farm of Tej Narayan Jha.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has no concern with the alleged offence. No incriminating article has been recovered from his possession. He was not arrested on the spot. There is no compliance of Section 100 of the Cr.P.C. The petitioner is neither the owner nor any concern with the alleged place of occurrence as well as the seized illicit liquor. The other co-accused Randhir Kumar has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 73244 of 2024 under order dated 08.10.2024. The petitioner has twelve criminal antecedents as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Court No. 02, Samastipur, in connection with Sarai Ranjan P.S. Case No. 127 of 2024, subject



to the condition as laid down under Section 438(2) of the Cr.P.C.
with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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