

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79091 of 2024

Arising Out of PS. Case No.-94 Year-21 Thana- KOTWA District- East Champaran

RAMESH MANJHI Son of JHAKAR MANJHI @ JHAKOR MANJHI
Resident of Village- Kalyanpur Khas Mushahari Tola, P.S- Kotwa, Distt.- East
champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari

For the Opposite Party/s : Mr. Nawal Kishor Pd. (APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-12-2024 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 Kotwa Police Station Case No. 94 of 2021,
disclosing offences under Sections 30(a), 32, 41(1) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution story, the informant along
with the excise team started searching the illicit liquor and in the
process, reached near Kalyanpur Khas Mushari Tola and upon
seeing the police party, the inmates started fleeing away,
however, the police surrounded the hut of one Jhakar Manjhi
and recovered 6 liters of illicit liquor kept in pepsi bottles. The
local people disclosed that liquor seized from the hut belongs to



the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure of his name by the local people. From perusal of the FIR, it would be evident that illicit liquor has been recovered from the hut of Jhakar Manjhi who happens to be the father of the petitioner but in the seizure list, the recovery has been shown from the hut of the petitioner which is self contradictory.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and there is contradiction with the seizure list as well as FIR regarding recovery of illicit liquor, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran at Motihari, in connection with Kotwa Police



Station Case No. 94 of 2021, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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