

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81570 of 2024**

Arising Out of PS. Case No.-507 Year-2020 Thana- GARDANIBAG District- Patna

Rakesh Manjhi Son of Late Kabindra Manjhi Resident of Yarpur Musahari,  
P.S.- Gardanibagh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Manoj Kumar Pandey, Advocate |
|                          |   | Ms. Kumari Pallavi, Advocate     |
| For the Opposite Party/s | : | Mr. Rajendra Prasad Nat, APP     |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      04-12-2024                      Heard Ld. counsel for the petitioner and Ld. APP for  
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Gardanibagh P.S. Case No. 507 of 2020, dated 04.10.2020, registered for the offences punishable under Sections 30(a), 34 and 36 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the allegation, about 21.400 litre of country made liquor has been recovered from hut like house, allegedly belonging to the petitioner.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that he has nothing to do with the alleged occurrence. He has no hut as alleged by the police. He has been falsely implicated. It is nothing but deprivation of personal liberty of the poor petitioner without any legal justification.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge, Excise-I, Patna, in connection with Spl. Case No. 5830 of 2020 arising out of Gardanibagh P.S. Case No. 507 of 2020, subject to the conditions as laid down



under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J)**

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