

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83851 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- JANTA BAZAR District- Saran

Thakur Manjhi @ Kumar Thakur Son of Late Nami Manjhi Resident of
Jagatpur Tarwara, P.S.- Janta Bazar, District- Saran, Bihar. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Abhigyan, Advocate Mr. Gaurav Kumar, Advocate Mr. Rohit Priyadarshi, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-12-2024 Heard Mr. Abhijeet Abhigyan, learned counsel for
the petitioner and Mr. Surendra Kumar, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Janta Bazar P.S. Case No. 204 of 2024 dated 13.10.2024
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2022.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 20 liters of country made mahua liquor from an
open field which does not belong to this petitioner. The
petitioner has been made accused mainly on this ground that the
place of recovery is situated behind the Dalan of the petitioner
which is not sufficient material to implicate him in respect of the
alleged recovered liquor and he has got fair and clean



antecedent and in view of these circumstances, the alleged offence under Section 30(a) of Bihar Prohibition and Excise Act does not even *prima facie* attract against this petitioner and his prayer for anticipatory bail is maintainable.

4. Learned APP for the State has vehemently opposed the bail prayer of the petitioner but fairly accepted that the alleged place of recovery is an open place.

5. Having considered the above submissions made by the petitioner’s counsel, this Court finds the petitioner’s prayer for anticipatory bail to be fit for accepting. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released 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 Court concerned in connection with Janta Bazar P.S. Case No. 204 of 2024 subject to the conditions as laid down under Section 484(2) of the B.N.S.S.

(Shailendra Singh, J)

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