

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2793 of 2024

Arising Out of PS. Case No.-201 Year-2023 Thana- AMNAUR District- Saran

Shailesh Manjhi S/o- Shatrudhan Manjhi R/o Vill- Apahar, P.S- Amnour, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Amnour P.S. Case No.201 of 2023, registered for the alleged offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, police received secret information about petitioner selling illicit liquor near a tree on the east side of Shiv Mandir situated at Village-Aphar. A raid was conducted at the identified place and a person fled away from the spot. Recovery of 20 liters of country made *chulai* liquor was made from the said place. The local Chowkidar named the petitioner who fled away from the spot.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The recovery has been shown from an open place and the petitioner has been named on the basis of statement of local Chowkidar without any rhyme and reason. The petitioner has got no criminal history.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Tent Thousand Only) with two sureties of the like amount each to the satisfaction of learned 1st Special Judge, Excise, Saran/concerned court in connection with Amnour P.S. Case No. 201 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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