

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13821 of 2025

Arising Out of PS. Case No.-421 Year-2024 Thana- AMNAUR District- Saran

Jae Manjhi Son of Late Supan Manjhi Village - Amnour Aguwan, p.s.
-Amnour, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a),33, 34 and 37 of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the FIR, total 140 liters of illicit country made liquor was recovered from a motorcycle bearing registration no.BR-04AR-7702.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that nothing has been recovered from the conscious possession of the petitioner and petitioner has got one criminal antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner and submits that if granting



anticipatory bail to the petitioner will affect the investigation of the present case and also submits that the petitioner has got one criminal antecedent in the same nature of the offence as stated in para-3 of the petition.

6. On perusal of the first information report and impugned order dated 30.01.2025, it appears that total 140 liters of illicit country made liquor was recovered from a motorcycle bearing registration no.BR-04AR-7702 and petitioner has got one criminal antecedent in the same nature of the offence as stated in para-3 of the petition. As Section 76 (2) of Bihar Prohibition and Excise Act is attracted which bars the anticipatory bail. As such in view of the allegation leveled against the petitioner as well as in light of the judgment of the full bench of this Court in the case of **Ramvinay Yadav v. State of Bihar PLJR 2019 (2)**, so I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail to the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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