

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24491 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- RANIYATALAB District- Patna

SANJAY MANJHI S/O- BADRI MANJHI Village- Nagwan Ps- Janipur Dist-
Patna A/P- Haibaspur Ps- Rani Talab Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 06-05-2025 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehend his arrest in connection with Rani Talab P.S. Case No. 97 of 2024, registered under Section 30(a) of the Bihar Excise (Prohibition) Act, 2018.

3. The case of the prosecution is in brief is that while patrolling, the informant along with police team reached village Haibaspur Mushahri and conducted a raid. Upon search, total 39 litres of illicit country-made liquor was recovered from the backside of the house of the petitioner. The petitioner has been named as an accused on the basis of statement of Chaukidar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner further submits that he has clean antecedent and his name was simply dragged on the basis of statement of Chowkidar.

5. Learned Additional Public Prosecutor for the State has



vehemently opposed the prayer for anticipatory bail.

6. Considering the fact that the petitioner has clean antecedent and that the recovery has not been done from the conscious possession of the petitioner and also given the fact that he has been implicated on the basis of statement made by Chowkidar and the evidence is not admissible and also given the fact that the search and seizure does not carry the signature of two independent witnesses, which serious question mark on the legality and validity of the search itself, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like each amount each to the satisfaction of learned Special Excise Judge, Danapur, in connection with Rani Talab P.S. Case No. 97 of 2024, subject to the condition laid down under Section 482 of the Bhartiya Nyaya Sanhita.

8. Before enlarge the petitioner on anticipatory bail, his antecedent may be verified by the Court below.

sanjeev/-

(Alok Kumar Sinha, J)

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