

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29847 of 2025

Arising Out of PS. Case No.-353 Year-2020 Thana- PALIGANJ District- Patna

Shankar Manjhi S/o Surendra Manjhi Resident of Village- Korara, Police
Station- Paliganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in connection with Paliganj P.S. Case No. 353 of 2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, on secret information that petitioner is manufacturing and selling illicit liquor in village Korara Musahari, police reached at the place of occurrence and recovered 9 liters illicit Mahua liquor from the heap of straw.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated



in this case. As per the prosecution story, secret information was received by the informant, but the source of information has not been disclosed in the F.I.R. Petitioner was not found at the place of occurrence. The place from where the alleged recovery has been made is an open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. Petitioner is not in any way connected with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears no criminal antecedent. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Sepcial Excise Judge, Danapur, Patna in connection with
Paliganj P.S. Case No. 353 of 2020, subject to the conditions as
laid down under section 438(2) of the Code of Criminal
Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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