

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33792 of 2025**

Arising Out of PS. Case No.-775 Year-2024 Thana- FATEHPUR District- Gaya

Santu Manjhi S/o- Tulsi Manjhi Village- Mathgadha Ps- Mohanpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Mr. Deepak Kumar, Advocate
	:	Mr. Dhandev Kumar, Advocate
	:	Ms. Isha Mishra, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard Ms. Isha Mishra, learned counsel for the petitioner and Mr. Bishweshwar Ram, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Fatehpur P.S. Case No. 775 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Amendment Act, lodged on 02.12.2024 by the informant, Satin Prasad.

3. As per the prosecution story, the informant alleged that upon intercepting a motorcycle, there is recovery/seizure of 9.375 litre of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that though motorcycle belongs to him, it was handed over to his



friend, little realising that it will be misused, FIR lodged, he shall be diligently appearing in the trial.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions of the parties as also that the recovery/seizure is not from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.4, Gaya, in connection with Fatehpur P.S. Case No.775 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. Before parting, this Court would like to put on record its word of appreciation for Ms. Isha Mishra, for the assistance rendered in this case.

(Rajiv Roy, J)

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