

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38592 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- BARAULI District- Gopalganj

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Bhusan Manjhi S/o Parma Manjhi @ Parma Hajra R/o Village- Kahla, P.S.-
Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Barauli P.S. Case No. 73 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 11.03.2025 by the informant, Sandeep Kumar.

3. As per the prosecution story, the Police upon secret information, intercepted a motorcycle. The persons riding it managed to escape. The locals gave the name of the persons who escaped included this petitioner. From the motorcycle, there is recovery/seizure of 18.900 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession nor the motorcycle belongs to him and only because of his criminal



antecedent, implicated.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the motorcycle does not belong to him and nothing has been recovered 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 Additional District and Sessions Judge, XIII cum Special Excise, Court No. 1, Gopalganj in connection with Barauli P.S. Case No. 73 of 2025 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.

(Rajiv Roy, J)

Adnan/-

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