

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33934 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- MANJHAGARH District- Gopalganj

Sampat Bin @ Sampat Bind S/o Bindeshwari Bin @ Binshehri Bin R/o
Village- Paithanpatti, P.S- Manjhagarh, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjya Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Manjhagarh P.S. Case No. 55 of 2025 registered for the alleged offence under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about the petitioner concealing illicit liquor near bank of river in Village-Paithanpati and selling the same. A raid was conducted and the police found a person hiding something in the bush, who fled away on seeing the police party. The said place was searched and recovery of 20 liters of country made *chulai* liquor was made. The persons present there and *Mahal Chowkidar* named this petitioner who fled away from the spot.



04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person of possession of the petitioner. The petitioner has been named in this case by the *Chowkidar* with malafide intention. Since no recovery has been made from the petitioner, no offence under the provisions of Bihar Prohibition & Excise Act is made out against him. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Excise Court No. 1, Gopalganj/court concerned in connection with Manjhagarh P.S. Case No. 55 of 2025, subject



to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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