

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58610 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- TARAIYA District- Saran

Manoj Manjhi S/o Kedar Manjhi R/o vill - Kharati (Chainpur), P.S. - Taraiya,
Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Taraiya P.S Case No. 195 of 2023 instituted for the offence punishable under Sections 30(a), 32(1)(2), 38, 41(1) (2) of Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 100 litres of country made liquor has been recovered from the scorio.

4. Learned counsel for the petitioner submits that petitioner has four criminal antecedents. He also submits that petitioner is innocent and he has not committed any offence. He has been falsely been implicated in this case.



5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may affect the investigation of this case.

6. From perusal of the F.I.R., seizure list, impugned order and case diary, it appears that name of the petitioner surfaced from the statement of co-accused. Petitioner has got four criminal antecedent in which two is of the same nature of offence.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the present anticipatory bail petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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