

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73172 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- EXCISE PATORI District- Samastipur

Ram Lalit Manjhi Son of Vanshi Manjhi Resident of Village- Sijouli, Ward
No. 07, P.S.- Dalsinghsarai, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-02-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Excise Patori Police Station Case No. 97 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that the police on the basis of secret information, recovered 311 litres of illicit liquor from the hut made for keeping husk situated near the Bharosi pond. The hut was allegedly in the possession of the petitioner.

4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and he is about 72



years old. He further submits that the petitioner has been made accused on the basis of that hut made for keeping husk, was in possession of the petitioner, whereas, the hut in question, was situated near the pond which is an open space and is accessible to all. The liquor has not been recovered from the conscious possession and or premises belonging to the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and liquor has been recovered from the hut situated near the pond which is an open space, accessible to everyone, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court-02, Samastipur, in connection with Excise Patori Police Station Case No. 97 of 2024, subject to the condition laid down under



Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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