

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85007 of 2024

Arising Out of PS. Case No.-247 Year-2024 Thana- PUNPUN District- Patna

Vijay Manjhi S/O Late Rameshwar Manjhi R/o - Manorah, P.S- Punpun,
Distt.- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Khushi Awadh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-01-2025 1. 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 Punpun Police Station Case No. 247 of 2024, dated 13.08.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police raided the house of the petitioner and recovered 28 litres of illicit country-made liquor from the house of the petitioner.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to ulterior motive. She further submits that on the alleged date of search and seizure, the petitioner was out of the town. She further submits that nothing has been recovered from the conscious possession of the petitioner and he has



no concern with the recovered illicit liquor.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail.
6. This application is, accordingly, dismissed.
7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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