

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89395 of 2024

Arising Out of PS. Case No.-261 Year-2024 Thana- PARSA District- Saran

Shailesh Manjhi Son of Parmeshwar Manjhi Resident of Village- Anyay
Harijan Tola, Babhangawan, P.S.- Parsa, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Parsa PS case no. 261 of 2024, disclosing offences
punishable under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2022.
3. The prosecution story, as per the First Information
report, is that on telephonic information, the informant along
with police party reached at the place of occurrence and
recovered 5.250 liters of illicit spirit liquor from behind the
house of the petitioner and accordingly, seizure list was
prepared.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and nothing



has been recovered from his conscious possession. He further submits that illicit liquor has been recovered from behind the house of the petitioner, which is an open space, accessible to everyone.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from an open space and not from inside the house, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran in connection with Parsa PS case no. 261 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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