

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2672 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -MARHAURA District- SARAN

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Deo Nath Manjhi Son of Late Jamadar Manjhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and 47a of the Excise Act.

Prosecution case is that on information of selling illicit liquor, a raid was led when police seized 74 litres of country made liquor and Rs.846/- cash from the hutment of co-accused Dhuman Rai whereas 25 litres country made liquor, Rs.161/- cash and a mobile were recovered from the hutment of co-accused Devendra Singh. Apprehended co-accused Dhuman Rai and Devendra disclosed that the recovered spirit was supplied by the petitioner.

It is submitted by learned counsel for the petitioner that admittedly recovery was not made from the petitioner and only on confession of co-accused petitioner has been roped in the present

case, though, the petitioner is accused in another case being Excise P.S. Case No.96/2013.

Considering the fact that recovery has not been made from the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Marhowrah P.S. Case No.297/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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