

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1086 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -BAHADURPUR District- PATNA

- =====
1. Babloo Manjhi, S/o Late Raghuvar Manjhi
 2. Leela Devi, W/o Late Raghuvar Manjhi, Both R/o Bahadurpur
Mushahari Road No. 13 B, P.S. Bahadurpur, District Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satyendra Prasad, Advocate

For the Opposite Party : Mr. Madhuranand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection with Bahadurpur P.S. Case No. 187 of 2016, registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition of Excise Act 2016.

Allegedly, from the hut of the petitioners four liters country made liquor was recovered and it is alleged that the petitioners were indulged in selling the liquor, but taking advantage of the darkness they fled away.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioners, the police after implanting the said recovery has got implicated the



petitioners.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the alleged recovery from the hut of the petitioners and further considering the allegation, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with Bahadurpur P.S. Case No. 187 of 2016, pending in the Court of Sri Sushant Ranjan, J.M. 1st Class, Patna City.

However, in case and if so advised the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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