

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59595 of 2017**

Arising Out of PS. Case No.-673 Year-2017 Thana- BARACHATTI District- Gaya

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1. Rajendra Manjhi, S/o Late Jannu Manjhi,
  2. Banda Mandal @ Ramdas Mandal S/o Mangar Manjhi.
  3. Mohan Ravidas S/o Dalal Ravidas,
  4. Ganesh Manjhi S/o Birju Manjhi, All R/o Village- Binda, P.S.-  
Rarachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha  
For the Opposite Party/s : Mr. ABHAY KUMAR ROY

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-12-2017              Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30(a), 38, 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 15 liters wine is recovered from the joint house of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has come on the basis of secret information as per F.I.R. The source and genuineness of



the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 15 liters wine is recovered from the joint house of the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya in connection with Barachatti P.S. case No.673 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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