

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39824 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -KOPA District- SARAN

- =====
1. Munni Devi, Wife of Janakdeo Manjhi
 2. Ritesh Paswan @ Meghnath Manjhi, Son of Janakdeo Manjhi
- Both are resident of village- Pokhar, Bhinda, P.S. Kopa, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 13-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kopa P.S. Case No. 55 of 2017** instituted for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a)/53 of Excise Act (Bihar Prohibition and Excise Act, 2016).

Learned counsel for the petitioners has submitted that from the seizure list it is apparent that alleged recovery is made from hutment of Janakdeo Manjhi. These petitioners are wife and son of Janakdeo Manjhi. The seizure list does not bear the signature of either petitioners or any of their family members.

From the written report it appears that there is no recovery from conscious possession of these petitioners.



It is mentioned in paragraph-3 of the bail petition that petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kopa P.S. Case No. 55 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **A.D.J. VI, Special Court, Excise Act, Saran at Chapra**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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