

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57595 of 2017

Arising Out of PS. Case No.-136 Year-2017 Thana- CHAKAND District- Gaya

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1. Dinesh Manjhi, S/o Kailash Manjhi,
 2. Ravi Manjhi S/o Late Briksh Manjhi, Both are R/o Village- Hassanpur Bhai Toli, P.S.- Chakand, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan singh

For the Opposite Party/s : Mr. S.M. RAHMAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2017 Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1 Dinesh Manjhi.

Permission is accorded.

The application on behalf of petitioner No.1 Dinesh Manjhi is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

The petitioner No.2 Ravi Manjhi is apprehending his arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 10 liters wine and 30 kg Mahua are recovered.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner 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 petitioner in this case. It is alleged that 10 liters wine and 30 kg Mahua are said to have been recovered from the abandoned house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.2, 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) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Gaya in connection with Chakand P.S. case No.136 of



2017, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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