

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24641 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Kaila Manjhi, S/o Baudh Manjhi, Resident of Village- Azadbigaha, P.S.-
Magadh Medical, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section30(a)(d) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 30 liters wine and
240 Kg. Mahua flower is 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 against the petitioner. The name of the
petitioner has transpired as the recovery was made from joint
house of the petitioner. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 240 Kg. Mahua flower out of which, 40 Kg. Mahua flower is alleged to have been recovered from joint 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, 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 Magadh Medical P.S. Case No. 66 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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