

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50638 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

- =====
1. Video @ Video Manjhi @ Vinod Kumar son of Late Ramswarup Manjhi
 2. Chhotu Manjhi son of Late Tulsi Manjhi both resident of Village - Vishunganj, Bhui Tola, P.S. - Magadh Medical, District Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Section 30(a) (d) of the Bihar Prohibition and Excise Act, 2016.

5 litres of country made liquor and 60 litres of raw material, which was destroyed is said to have been recovered from the house of Video @ Video Manjhi @ Vinod Kumar while 5 litres of country made liquor and 75 litres of raw material, which was destroyed is said to have been recovered from the house of Chhotu Manjhi and petitioner Chhotu Manjhi was apprehended.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern with the seized articles. They have been falsely implicated in the case at the instance of their enemies. The houses of the petitioners are inhabited by their several family members and they had no knowledge of keeping of the said articles in their houses. There is violation of Section 100 Cr.P.C. The seizure list does not bear the signature of the petitioner Chhotu Manjhi. Petitioner Video @ Video Manjhi @ Vinod Kumar was not apprehended on the spot. They have no criminal antecedent. Chhotu Manjhi has been languishing in custody since 08.07.2018 while Video @ Video Manjhi @ Vinod Kumar has been languishing in custody since 19.07.2018.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Magadh Medical P.S. Case No. 76 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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