

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16720 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -WARSALIGANJ District- NAWADA

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1. Saryug Manjhi @ Sarjug Manjhi, son of Late Kishun Manjhi.
 2. Pramod Manjhi, son of Dani Manjhi. Bothj resident of Village- Rasanpur, P.S.- Warsaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-03-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections-272 & 273 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 70 litres wine is recovered from five different places.

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 names of the petitioners have transpired on the basis of disclosure made by the local residents. The name of local residents, who have named the petitioner, 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 10 litres and 30 litres wine is recovered from the places of petitioner Nos. 1 & 2 respectively. 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. The co-accused namely Nandu Paswan has already been granted anticipatory bail by this court vide order dated 12-03-2018 passed in Cr. Misc. No. 12986 of 2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Nawada in connection with Warisaliganj P.S. Case No. 35 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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