

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17719 of 2018

Arising Out of PS.Case No. -719 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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1. Sanjay Manjhi
 2. Ranjan Manjhi @ Rajan Manjhi &
 3. Tetar Manjhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2018 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 & 290 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 180 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is said to have been made from joint house of the petitioners where other family members also reside. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that total 180 liters, out of which, 48 litres, 50 litres and 60 litres wine is recovered from joint houses of the petitioner Nos. 1, 2 & 3 respectively. 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 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 Special (Excise), Patna in connection with Shastrinagar P.S. Case No. 719 of 2017, Special Case No. 8686 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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